

**CALIFORNIA ARMY NATIONAL GUARD
ACTIVE GUARD RESERVE
STANDARD OPERATING PROCEDURES
15 MARCH 2003**



**UNIT READINESS
SOLDIER CARE**

CAJS-HR-AGR SOP

RECORD OF CHANGE CORRECTIONS

Enter Change or Correction in Appropriate Column

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SUMMARY OF CHANGE

Active Guard Reserve Standard Operating Procedures (AGR SOP)

This revision –

- Supersedes AGR SOP, dated 12 January 2001.
- Updates form numbers and abbreviations (throughout).
- Updates policy regarding control grade promotions (para 4-2b, c).
- Modifies temporary duty (TDY) policy as related to TDY travel orders with per diem for AGR soldiers detailed to another duty location (para 4-10d).
- Modifies policy regarding AGR members performing State Active Duty (SAD) missions (para 4-10e).
- Adds AGR Initial Entry Training Program (AGR IETP) (para 5-2).
- Modifies policy regarding AGR members and Army Physical Fitness Training (APFT failure) (para 5-9).
- Eliminates continuation boards, with the exception of the initial tour continuation board (chapter 6).
- Modifies policy regarding voluntary resignation of AGR tour (para 7-3).
- Adds information regarding DFAS website “MY PAY” to access pay documents (para 8-2).
- Adds information about TRICARE Remote dental waiver (para 9-1e (14)).
- Modifies the policy regarding medical board proceedings as they relate to existing or pending disciplinary action (para 9-6h).
- Changes duty work week from “4 days – 10 hours” to “5 days – 8 hours” (para 11-1a and throughout).
- Updates information regarding Standards of Conduct (Chapter 12) and Military Discipline (Chapter 13).
- Includes Chapter 17: Weapons of Mass Destruction – Civil Support Teams (WMD-CST).

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Definition of Terms

Acronyms

**STANDARD OPERATING PROCEDURES
ARMY ACTIVE GUARD AND RESERVE (AGR) PROGRAM**

CHAPTER 1

GENERAL

1-1 Purpose:

This SOP sets policy and procedures for effective administrative management of our California Army National Guard Active Guard and Reserve (AGR) program. The AGR program requires standardization and understanding of the administrative processes necessary to accomplish desired personnel actions. Direct all questions concerning specific details or situations not addressed in this SOP to the Directorate for Human Resource (HRO) ATTN: CAJS-HR-AGR, P.O. Box 269101, Sacramento, CA 95826-9101.

1-2 General:

This SOP prescribes policy and procedures for the administration and management of full-time Army National Guard personnel serving in the Active Guard/Reserve program under Title 32, USC, 502 (f). This SOP does not replace controlling regulations, nor does it grant individual members any additional legal rights.

1-3 Responsibilities:

a. The Human Resource Office (HRO) has primary staff responsibility for all AGR personnel and is the principal office for management of AGR manpower authorizations and utilization within the California Army National Guard. Changes do occur frequently. This office will publish changes as required.

b. Administrative Officer/Full-Time Supervisors will ensure:

- (1) The initiation of all required personnel and finance actions.
- (2) The correct processing of all training and logistical actions.
- (3) The correct assignment and utilization of all AGR members in their full-time positions according to the Full Time Manning Document (FTMD).
- (4) All assigned AGR personnel receive initial and ongoing orientation update briefings.
- (5) All AGR personnel receive career counseling and problem resolution.

1-4 Authority:

The final authority for any action regarding AGR members of the California Army National Guard is the Adjutant General. The HRO is the only order authority to reassign, relocate, promote, reduce, access, or separate any AGR member. Request for personnel actions require approval from the HRO prior to affecting any movement or change in the AGR member's status.

1-5 Equal Opportunity:

The proper use of this SOP will help insure that the management of AGR members is free of discrimination based on race, color, religion, sex, national origin, political affiliation, employment status, or non-disqualifying age. The objective is equal opportunity and to insure the fair treatment of all soldiers based on merit, fitness, capability, and potential that supports unit readiness.

CHAPTER 2

INITIAL ENTRY INTO THE AGR PROGRAM

2-1. Initial AGR eligibility requirements (Para 2-1 and 2-2, NGR 600-5):

To qualify for initial entry into the AGR program, applicants must meet requirements IAW AR 135-18, 1e 2-1, and the following:

- a. Membership: Be an active California ARNG member.
- b. Age: Enlisted members must be at least 18 years old and not have reached their 55th birthday.
- c. Medical standards:
 - (1) Must meet the medical standards outlined in chapter 2 or 4, AR 40-501, as applicable. Initial entry physical examinations (chapter 2) must be accomplished at a Military Examination and Processing Station (MEPS) or active Army Medical Facility and are valid up to 24 months before entry into the AGR Program. Flight physical examinations (Chapter 4) by a certified flight surgeon and approved by USAAMC, Ft. Rucker, AL, are used for aviators if administered within 18 month prior to entry into the AGR program. Upon approval of the selection packet, CAJS-HR-AGR coordinates the MEPS physical with the soldier and Detachment 5 STARC.
 - (2) Must test negative for Human Immune Deficiency Virus (HIV); the test must be accomplished within 6 months prior to initial entry into the AGR Program.
 - (3) Female applicants must provide proof of negative pregnancy testing conducted within 30 days prior to initial entry into the AGR program.
 - (4) Applicants must meet the body composition/weight control standards of AR 600-9.
 - (5) Applicants must pass the Army physical fitness test (APFT) in accordance with AR 351-40 within the 12 months prior to entry into the AGR program.
 - (6) A completed cardiovascular screening clearance (DA Form 4970) is required for applicants age 40 years or older.
- d. Military education:
 - (1) Lieutenants and Captains with less than 5 years in grade must have completed a basic officer course.
 - (2) Captains with more than 5 years in grade and Majors with less than 5 years in grade must have completed an Officer Advanced Course.
 - (3) Majors with more than 5 years in grade and Lieutenant Colonels with less than 3 years in grade must have completed 50 percent of the Army Command and General Staff College (CGSC) or its equivalent as defined in AR 135-155.
 - (4) Lieutenant Colonels with more than 3 years in grade and Colonels must have completed CGSC or its equivalent as defined in AR 135-155.

NOTE: Military education requirements for ENTRY into AGR Program are NOT the same as required for promotion.

e. Time in service:

(1) Applicants must be able to serve at least 3 years (1 year for 79T MOS) in an AGR status prior to completing 18 years of active federal service (AFS). Prior duty, to include annual training (AT), full-time training duty (FTTD), and initial entry training (IET), are used to calculate total active federal service.

(2) Applicants must be able to serve at least 10 years in an AGR status prior to mandatory removal date (officers) or age 60 (enlisted).

f. Grade and specialty:

(1) Officers and warrant officers must possess the grade equal to or below that authorized for the AGR position and must possess the specialty compatible with the AGR duty position. Aviator, AMEDD, Chaplain, JAG and warrant officer assignments are governed by the restrictions cited in AR 140-10, NGR 600-100 or NGR 600-101.

(2) Enlisted (Staff Sergeant and above) must possess the grade, military occupational specialty (MOS) and skill level required by the position. Non-MOS qualified soldiers in grades E-6 and above must take an administrative reduction to E-5 prior to accepting an AGR position. Enlisted (Sergeant and below) must have the potential to become MOS qualified within 12 months of initial entry.

(3) Soldiers who fail to become MOSQ within one year of assignment to an AGR position are subject to involuntary release IAW NGR 600-5, paragraph 6-5d(2).

g. Reenlistment or extension - enlisted applicants must meet reenlistment or extension standards in Chapter 7, NGR 600-200.

h. Other requirements:

(1) Applicant must not be entitled to receive federal military retired pay.

(2) Enlisted personnel must have at least 3 years remaining on current enlistment or must extend in order to meet this requirement

(3) Enlisted personnel must have completed initial entry training (IET) prior to entry.

(4) AGR soldiers previously separated from FTNGD must meet all initial entry requirements to qualify for reentry.

2-2 Waiver provisions (Para 2-2, NGR 600-5):

Submitting requests for waivers for initial entry to the Adjutant General is the discretion of the president of the AGR selection board as follows:

a. Submit request for waiver of possible disqualification through CAJS-HR-AGR to the Chief, National Guard Bureau (NGB).

b. An individual may request a medical waiver, routed through command channels to CAJS-HR-AGR. A recommendation from the State Surgeon is obtained by CAJS-HR-AGR prior to forwarding the request to the NGB surgeon for determination. Request for medical waivers must include:

(1) A description of the soldier's proposed work environment and duty description.

(2) The original Chapter 2 physical, SF 88 or 2808 and SF 93 or 2807, completed at an active Army medical treatment facility or MEPS within the last two years.

(3) Copies of all previous physical examinations to include related documents.

(4) A consultation from a specialist in the area(s) requiring waiver.

c. Waivers for hearing will not be considered by the NGB surgeon.

d. Submit records of soldiers with a "3" or higher in any physical category (PULHES), or who already have a medical waiver through CAJS-HR-AGR to National Guard Bureau for review and approval.

2-3. Entry into the AGR program is denied when applicant has been:

a. Involuntarily removed from active duty or full-time duty (AGR or civil service technician status) or is pending removal of the following:

(1) For cause, to include unsuitability or unfitness (other than temporary medical disability) for military service.

(2) Non-selected for promotion when fully qualified, unless subsequently selected.

(3) As a result of resignation in lieu of adverse personnel action.

b. Non-selected for promotion as not fully qualified on latest consideration by a promotion board convened by HQDA (officers and warrant officers).

c. Involuntarily removed from unit (Selected Reserve) service based on maximum year of service, qualitative retention, selective retention board action, or for cause.

d. Under current suspension of favorable personnel action.

e. Barred to reenlistment or a bar is pending (Enlisted).

f. Ineligible for reenlistment or extension (Enlisted).

g. Ineligible for an original appointment under AR 135-100, paragraph 1-7, unless disqualification(s) for appointment can be waived under AR 135-100. (Officers or Warrant officers)

h. Relieved for cause from any duty assignment, including but not limited to relief from command within 12 months prior to initial entry.

i. Given a referred officer evaluation report (OER) under paragraph 4-27 or AR 623-105 within 12 months prior to initial entry (officer or warrant officer).

2-4. Announcement of AGR Positions:

We select backfills of AGR soldiers in the following priority/order:

a. Command Direct/Priority Placement

b. Enlisted Promotion System (EPS)

c. Vacancy announcement.

Entry level AGR positions (Specialist, Sergeant, Staff Sergeant, and Captain) are advertised when not filled by on board AGR personnel. Organizations are asked to edit a current vacancy announcement to ensure accuracy and to make it fit your organization. Requests for announcements are forwarded through channels via e-mail to CAJS-HR-AGR. Upon approval of the announcement by the AGR section, the position is advertised for a minimum of thirty calendar days.

2-5. Submission of applications (Para 2-3, NGR 600-5):

a. As a minimum, the following forms and documents are required for all initial entry AGR applicants:

(1) NGB Form 34-1 (application for AGR position) with signature and date. Ensure that you annotate both the position tour number and title on the top of page one of the application.

(2) Current (within 5 years) SF 88 or 2808 (Report of Medical Examination) and SF 93 or 2807 (Report of Medical History).

(3) Certified copy of DA Form 2-1 (if a 2-1 is not available because of new record keeping practices, a certified copy of the recruiter worksheet or page one of the DD 1966 series may be used). These documents are utilized to demonstrate qualifying ASVAB/AFCT scores.

(4) Three-quarter length photograph in class A uniform taken within the previous twelve months. Official military photo is not required.

(5) All OER/NCOERs for the last three (3) years. Supervisor must provide written statement/memo providing information as to why the soldier's evaluation OER/NCOERs are not available. Applicants in the grade of E3-E4 and recently promoted E5s must submit at least one letter of recommendation. This letter should state current duty assignment, ability to perform assigned duties and demonstrated potential. Newly commissioned officers should submit evaluations received as an NCO, if applicable, and letters of recommendation.

(6) DD Form 214 (Certificate of Release or Discharge from Active Duty) which reports periods of all active service performed. Copy must include SPD code and reason for separation.

(7) Certified copy of DA Form 705 (APFT - physical fitness test scorecard) demonstrating successful completion of the APFT within the past twelve months for M-day soldiers/6 months for in a current AGR status. Ensure that height and weight are annotated.

(8) Body fat worksheet (if applicable).

(9) DA Form 4970 - cardiovascular screening (over 40 soldiers only).

(10) Retirement Point Statement (RPAS/RPAM)

b. CAJS-HR-AGR notifies each applicant in writing within 10 days of receipt that their application was received. Applications are reviewed for completeness and minimum eligibility requirements no earlier than the day the position announcement closes. Ineligible packets are returned within 10 days of closing date with reason(s) for return.

2-6. Purpose and composition of selection boards (Para 2-4, NGR 600-5):

The purpose of convening a selection board is to create an unbiased panel to fairly and thoroughly examine each applicant's credentials. The selection board is required to determine the "best qualified" applicant for the authorized AGR vacancy and make a recommendation to the selecting official. Subsequent selection rests with the selecting supervisor.

a. The Adjutant General of California will direct the appointment of the AGR Selection Board after the closing date of a job announcement at the applicable command under the authority of a Colonel command level or higher. The Adjutant General reserves the authority to hold specific boards at OTAG level.

b. As a minimum, boards are composed as follows:

(1) No fewer than three appointed members who are senior in grade or date of rank to all applicants considered. In addition, a non-voting recorder (any grade) is appointed to maintain a record of board actions.

(2) Ideally the full-time supervisor for the position being filled, or a designated representative, is appointed to the board.

(3) Selection board membership may include both full-time support personnel, traditional guardsmen, and, in specific cases, civilian employees.

(4) The senior voting member of the board will function as the board president.

(5) Family members of applicants being considered by a board will not serve as board member or recorder. "Family member" is defined as father, mother, brother, sister, child, spouse, nephew, niece, father/mother-in-law, son/daughter-in-law, brother/sister-in-law, step father/mother, step son/daughter, step brother/sister or half brother/sister and first cousin.

(6) Boards which consider officer, enlisted, female and/or minority personnel must include such representation whenever possible.

(7) Boards considering applicants for JAG, Chaplain, or AMEDD positions will have at least one board member from the branch being considered.

(8) Boards considering applicants for recruiting and retention positions will contain at least one board member from the recruiting and retention force.

(9) Board members should rotate on a continual basis. Static boards with a fixed membership will not be established. Board members will not serve on consecutive boards.

c. Boards may require a personal appearance by applicants. The hiring authority funds all TDY/travel costs.

d. The selecting official will provide the names of the board members to the AGR section prior to or directly after the position closes. The AGR section will prepare necessary documents within 72 hours of the selection board.

e. CAJS-HR-AGR will forward the following documents to the selection board:

(1) Transmittal of Selection Packet/Memorandum of Instruction, Board

Appointment (Annex 2-A and 2-B).

(2) Board Proceedings (Annex 2-C).

(3) Applications with attached documents/forms.

(4) Selection Board Members' Consolidated Results of Appraisal Worksheets - CAJS-HR-AGR Form 600-5-2-3 (Annex 2-D).

(5) Selection Board Members' Appraisal Worksheets - CAJS-HR-AGR Form 600-5-2-4 (Annex 2-E).

2-7. Conduct of selection boards (Para 2-5, NGR 600-5):

The board will convene on the call of the president and conduct action as follows:

- a. Conduct all proceedings in closed session.
- b. When interviews are conducted, all applicants are asked the same questions.
- c. Determine "best qualified" for the position using the following minimum criteria:
 - (1) Personal interview and/or records review
 - (2) Performance evaluations
 - (3) Military education and experience in career management field
 - (4) Experience in the military (i.e. SMOS, AMOS, ASI, SQI, etc.)
 - (5) Civilian education (high school graduate, college graduate, type of degree, etc).
 - (6) Civilian occupation and experience relevant to the AGR position.
 - (7) Potential
- d. The composition, proceedings or any other matter relating to a specific board are not to be discussed or disclosed to any individual at any time, except as indicated below:
 - (1) Other duly appointed board members
 - (2) The Adjutant General or Assistant Adjutant General
 - (3) The Director of Human Resources
 - (4) The senior command officer-in-charge (SRCOM OIC)
 - (5) The Inspector General as part of an inquiry
 - (6) The State Judge Advocate Officer (JAG) as part of an inquiry
 - (7) The State Equal Opportunity Officer (EEO) as part of an inquiry
- e. Using the points awarded on the consolidated results of AGR appraisal worksheets, the board will establish an order of merit listing (OML), ranking the top five soldiers as "best qualified" from the highest to the lowest. The total points awarded to each applicant are divided by the total board members in obtaining average points. The average points are used to determine the

OML. The order of merit ranking is then reflected on the certificate of applicants form. The person selected is normally the applicant with the highest total score. The remaining candidates (6,7 etc.) are rated as non-selected.

f. After the board is completed, the selecting supervisor is responsible for completing and returning the following to CAJS-HR-AGR. Under all circumstances, soldiers are notified that a selection has been made within 30 days of closing date of announcement.

(1) Certificate of Applicants (CAJS-HR-AGR Form 21-1), indicating the order of merit ranking.

(2) All applications, including attachments.

(3) Transmittal of AGR selection packet (CAJS-HR-AGR Form 600-5-2-1) for the individual ranked as the best qualified. Items indicated on the transmittal are completed, as applicable. Attach all required forms and records reflected on the transmittal form.

(4) All records of board proceedings pertaining to board actions.

g. Confidentiality of the board actions, the selections or non-selections of an applicant is a requirement.

h. No promise of accession is made to any applicant until the Adjutant General of California or his designee has approved or disapproved the proceedings of the board. Once a selection is approved for accession, the selected soldier will not report for duty until receipt of orders.

i. After the Adjutant General of California or his designee approves the board proceedings, CAJS-HR-AGR will provide the applicants with a letter of selection or a letter of non-selection indicating the reasons for non-select.

j. Records of all board proceedings and recommendations are maintained on file in CAJS-HR-AGR for three years.

2-8. Initial hire/tour orders (PARA 2-6, NGR 600-5):

a. Submit entire hiring packet (chapter 2, HIV, pregnancy test, RFO) a minimum of 30 days in advance of effective hiring date. (All new hire dates will be effective the 1st or 15th of the month to coincide with pay cycles.) Soldiers with the rank of E-6 and above who are non MOSQ must take an administrative reduction in order to accept an AGR position. This action must be accomplished before the orders will be done. The following items are also required with the new hire request:

(1) Request for AGR New Hire orders (Annex 2-F, DA 4187)

(2) Request for duty position change (MTOE/TDA changes only) completed on a DA form 4187 (Annex 2-F-1, DA 4187)

(3) DA Form 4187 (Request for voluntary reduction)(Annex 2-G, DA 4187)

(4) Certificate of Agreement and Understanding (Annex 2-H)

(5) AGR In-processing orientation (Annex 2-I)

(6) DA Form 4836 Extension of Enlistment (if applicable). Enlisted soldiers must have at least three years remaining on their current enlistment.

b. Initial AGR tours are for a period of three years.

c. We will not reassign an AGR soldier during the first 24 months, if MOSQ, or 36 months if not MOSQ, of their initial tour, except in the event of mobilization, force structure changes, enlisted promotion system selection, or documented personal hardship.

d. Subsequent tour orders are issued thirty prior to the member's tour ending date (TED) as follows:

(1) All officer and warrant officer subsequent orders are issued for an indefinite period. Member requires no action.

(2) All enlisted subsequent orders are issued to coincide with the member's current military expiration term of service (ETS). NOTE: Failure to execute and submit an extension of enlistment in a timely manner will result in an interruption of member's pay and allowances. Forward completed DA Form 4836 directly to SIDPERS (ATTN: CAMP-SIB); the AGR section checks the SIDPERS database to ensure the extension is coded.

e. ARNG soldiers serving in another state or territory who are selected are processed as follows:

(1) The gaining unit/command will coordinate between the gaining/losing organization. Effective date of transfer is NLT 60 days from selection date. Soldier must be a member of the CAARNG prior to appointment/enlistment in the AGR force. We will not publish AGR orders until we receive the addendum to enlistment 22-5-R.

(2) The gaining CA organization will complete a request for transfer (DA 4187) with an effective date matching the date on the 22-5-R. CAJS-HR-AGR will publish the AGR tour order with the concurrence of the losing State Adjutant General.

(3) Orders will include travel time and will ensure that there is no break in service.

2-9. Sponsorship/orientation program (Para 2-7, NGR 600-5):

a. Senior commands will forward an AGR welcome packet to the AO of the new AGR soldier. Additional welcome packets will be supplied by CAJS-HR-AGR.

b. Major commands will insure that effective orientation and sponsorship programs are established and maintained throughout their command down to the lowest level or activity. The primary objectives of this program are to assist AGR members and their families in establishing themselves at their new duty station and to assist new members while they adjust to the work environment.

c. The HRO will publish and provide periodic updates covering requirements, benefits/entitlements of AGR members, etc., as needed in a Technician/AGR Administrative Instruction (TAAI). Verbal updates will be provided during periodic AGR assistance visits. Additionally, updates are periodically printed in "AGR Notes" emailed to each AGR member.

CHAPTER 3

APPLICATION & TRANSFER PROCESS FOR "ON BOARD" AGR SOLDIER

3-1. Subsequent AGR eligibility requirements:

To qualify for continuation in the AGR program, applicants must meet the requirements IAW AR 135-18 and the following:

a. Medical standards:

(1) As outlined in chapter 3 or 4, AR 40-501, as applicable. Periodic physical examinations (Chapter 3) are valid up to 60 months for continuation in the AGR Program. Flight physical examinations (Chapter 4), by a certified flight surgeon and approved by USAAMC, Ft. Rucker, AL, are used for aviators if administered within 12 month prior to continuation in the AGR program.

(2) Meet body composition/weight control standards of AR 600-9.

(3) Pass the Army Physical fitness test (APFT) every 6 months in accordance with AR 351-40.

(4) A completed cardiovascular screening clearance is required for AGR soldiers at age 40 or on the anniversary of the periodic physical at age 39 or older (DA Form 4970).

b. Soldiers who fail to become MOSQ within one year (120 days for 79T - Recruiting and Retention personnel) of assignment to an AGR positions are subject to involuntary release IAW NGR 600-5, Para 6-5d(2).

c. Reenlistment or extension. Enlisted applicants must meet reenlistment or extension standards in Chapter 7, NGR 600-200.

3-2 Denial of continuation in the AGR program:

Continuation in the AGR program is denied when applicant is pending removal for the following:

a. For cause, to include unsuitability or unfitness (other than temporary medical disability) for military service

b. Because of non-selection for promotion when fully qualified, unless subsequently selected (officers)

c. As a result of resignation in lieu of adverse personnel action

d. Non-selected for promotion as not fully qualified on latest consideration by a promotion board convened by HQDA (officers and warrant officers)

e. Involuntarily removed from unit (Selected Reserve) service based on maximum years of service, qualitative retention, selective retention board action or for cause

f. Under a current suspension of favorable personnel action

g. Barred to reenlistment or a bar is pending (enlisted)

h. Ineligible for reenlistment or extension (enlisted)

i. Ineligible for an original appointment under AR 135-100, paragraph 17, unless disqualification(s) for appointment can be waived under AR 135-100 (officers or warrant officers)

j. Relieved for cause from any duty assignment, including but not limited to, relief from command, within 12 months prior to initial entry.

k. Given a referred Officer Evaluation Report (OER) under paragraph 4-27 or AR 623-105 within 12 months prior to initial entry. (officer or warrant officer)

3-3 Announcement of AGR positions:

a. Career management AGR positions (SSG, SFC and MAJ and above) are only advertised when not filled by command directed reassignment, priority placement or the Enlisted Promotion System (EPS).

b. Organizations are asked to edit a current vacancy announcement to ensure accuracy and to make it fit your organization. Requests for announcements are forwarded through channels via e-mail to CAJS-HR-AGR. The command requesting the vacancy fill should annotate on the request for announcement specific and unique requirement(s) of the position and unit. Upon approval of announcement by the AGR section, the position is advertised for a minimum of thirty calendar days.

3-4 Submission of applications (Para 2-3, NGR 600-5):

a. As a minimum, the following forms and documents are required for all "on-board" AGR applicants:

(1) NGB Form 34-1 (with signature and date). Ensure that the position title and number is annotated on the top of page one

(2) Three-quarter-length photograph in Class A uniform made within the previous 12 months ("official" military photograph is not required)

(3) Certified copy of DA form 2-1, DD 1966-1, or Recruiter's Worksheet demonstrating qualifying ASVAB/AFCT scores

(4) All NCOERs or OERs for the past three years (supervisor must provide written statement/memo providing information as to why soldier's NCOERs are not available)

(5) Certified copy of current DA Form 705 (APFT), demonstrating passing APFT within the last six months. Ensure that height and weight are annotated.

(6) Body fat worksheet, if applicable

(7) Current (within 5 years) chapter 3, AR 40-501 (retention standards) physical (SF 88 and 93 or 2807 & 2808).

(8) DA Form 4970 Cardiovascular screening (if applicable).

b. CAJS-HR-AGR will review all applications for completeness and minimum eligibility requirements. All applicants are notified in writing that their applications are accepted or rejected.

3-5 Purpose and composition of selection boards:

The purpose of convening a selection board is to create a non-partisan panel to fairly and thoroughly examine each applicant's credentials. The selection board is required to determine the "best qualified" applicant for the authorized AGR vacancy.

a. After the closing date of a job announcement, the Adjutant General of California will direct the appointment of the AGR selection board at the applicable Colonel command level or higher.

b. As a minimum, boards are composed as follows:

(1) Not less than three appointed members who are senior in grade or date of rank to all applicants being considered. In addition, a non-voting recorder (any grade) will be appointed to maintain a record of board actions.

(2) The full-time supervisor for the position being filled, or their designated representative, will be appointed to the board.

(3) Selection board membership may include both full-time support personnel and traditional guardsmen.

(4) The board president will be the senior voting member of the board.

(5) Family members of applicants being considered by a board will not serve as board member or recorder. "Family member" is defined as father, mother, brother, sister, child, spouse, nephew, niece, father/mother-in-law, son/daughter-in-law, brother/sister-in-law, step father/ mother, step son/daughter, step brother/sister or half brother/sister and cousin.

(6) Boards which consider officer, enlisted, female and/or minority personnel must include such representation whenever possible.

(7) Boards considering applicants for JAG, Chaplain, or AMEDD positions will have at least one board member from the branch being considered.

(8) Boards considering applicants for recruiting and retention positions will contain at least one board member from the recruiting and retention force.

(9) Board members should be rotated on a continual basis. Static boards with a fixed membership will not be established. Board members will not serve on consecutive boards.

c. When an AGR soldier is selected for another position utilizing vacancy announcements and the application process, the gaining organization must coordinate the effective date of transfer with the losing organization. The effective date is NET 60 days from the date the soldier accepts the position. The gaining organization will complete the DA 4187, Request for AGR Transfer (Annex 2-J). The RFO must arrive in our office through channels from the senior command NLT 60 days from the requested effective date.

3-6. Stabilization policy:

AGR personnel are assigned in their duty position for a minimum of 24 months if MOS qualified and 36 months if non-MOSQ. This tour stabilization policy includes but is not limited to new hires, command directed transfers and EPS selections. A function of this stabilization is to allow members to become duty qualified, develop technical and tactical proficiency in their assignment and build esprit-de-corps in the organization.

3-7 Transfers:

a. We will only transfer AGR soldiers into the same rank positions (i.e.; E6 to E6, E7 to E7). We cannot transfer soldiers into positions offering promotion or requiring reduction (unless disciplinary actions are involved).

b. Senior commands will submit RFOs (Annex 3-A) to the AGR Management Branch, not less than 60 days prior to the effective date of orders. Senior Commands will ensure that the RFO is accurate, correct and complete upon submission.

c. Hardship Transfers: In cases of actual hardships, every effort will be made to assist the soldier and his/her family, which may include reassignment and transfer. Depending on the duration and nature of the hardship, the intent is to stabilize the soldier in position for a period of not less than 24 months.

d. If non-MOSQ in new position:

(1) The soldier must become MOSQ within 12 months (120 days for 79T MOS - Recruiting and Retention personnel see Ch 7-5c).

(2) Request for transfers must be accompanied by copy of ATRRS screens demonstrating application to MOSQ course.

(3) All transfers into non-MOSQ positions will include verification of qualifying ASVAB/AFCT score, PULHES and other qualifying requirements IAW DA Pam 611-21.

3-8 Promotions:

a. Our goal is to fill all E6-E9 positions utilizing the enlisted promotion system through direct coordination between the organization and the CAJS-HR-AGR staff.

b. When an authorized AGR vacancy exists, the unit will complete a request for EPS fill (Annex 3-B) and forward through command channels to the AGR section. The AGR section makes all promotion offers utilizing the appropriate MOS OML located on the CAARNG website. Normally, the effective date of transfers via EPS are 60 days from the "offer" date, however coordination is made between the losing and gaining organizations. CAJS-HR-AGR will complete the DA Form 4187 for promotion/transfer for promotions/transfers for E7 and below. Senior command AGR managers will complete DA Form 4187 for E8 & E9 promotions/transfers IAW direction from the AGR Branch.

c. If the selected soldier has completed NCOES and meets all promotion requirements, the promotion date and effective date of transfer are the same and CAJS-HR-AGR will complete the request for promotion. If the soldier is not promotable upon transfer (i.e.; lacks NCOES), the organization must submit a request for promotion (Annex 3-C) when the soldier meets all requirements for promotion. ***Note: because of the limited number of control grade authorizations, promotion to E8 & E9 won't normally fall under this timeline.

CHAPTER 4

CAREER MANAGEMENT AND UTILIZATION

4-1. Career management program (Para 3-1, NGR 600-5):

The HRO, commanders, and full-time supervisors at all levels must support a strong career management program for AGR personnel. Exceptional AGR personnel should be provided the opportunity to progress to positions offering higher levels of responsibility and grade throughout their military career.

a. AGR career management positions are designed as enlisted positions of Staff Sergeant and above, all warrant officer, and officer positions of Major and above.

b. When a funded AGR career management position becomes vacant, the unit will forward a request through command channels, to CAJS-HR-AGR, requesting that the position be filled. The priority of consideration for onboard AGR personnel in filling career management positions is as follows:

- (1) Priority Placement Program (soldiers displaced because of unit deactivation or TDA/MTOE change)
- (2) Lateral transfer, equal grade to equal grade (command requested)
- (3) Enlisted Promotion System (EPS) - The AGR section will offer all AGR promotions via EPS (SRCOMs/units do not have this authority)
- (4) Position vacancy announcement. The soldier must have completed 24 months in current AGR position if MOSQ when transferred or 36 months of non-MOSQ. Exceptions are made if accepting an EPS position.

c. AGR personnel interested in being considered for a career management position offered by a vacancy announcement must meet the following criteria:

- (1) Not more than one grade below the maximum grade announced and meets the requirements for promotion. (Non-promotable or two grades lower will be considered only after all promotable soldiers or equal grade soldiers are considered.)
- (2) Must be MOS qualified in current military duty position.
- (3) Must not have flagged record for unfavorable personnel actions as of the closing date of the announcement.
- (4) Must have completed 24 months if MOSQ when transferred or 36 months if non-MOSQ of current AGR tour. Exceptions are made if accepting an EPS position.
- (5) Must submit Request for MOS change/qualification (Annex 4-A) along with DA Form 1059, Service School Academic Evaluation Report.
- (6) Female members must meet the requirements of the direct combat probability code.

4-2. Control grades:

a. Enlisted control grades are defined as E-8 and E-9. Each senior command is allocated a specific number of enlisted control grades based on valid E8 and E9 full time manning position requirements. Because control

grade requirements outnumber control grade authorizations, it's important that an E8 & E9 control grade chronological selection log is maintained. This will allow the first selected soldier to receive the next available control grade.

b. Current policy is that EPS is utilized to fill control grade positions, with the only exception being those positions which are "MOS immaterial." MOS immaterial positions are filled following these priorities:

- (1) Command directed lateral transfer of the same grade
- (2) Statewide vacancy announcement open to all MOS's (same grade only)
- (3) EPS select from OML of all MOS's

c. Selected soldier is promotable if the senior command allocates that position as a control grade.

d. Officer control grades, defined as Major and above, are managed by the executive personnel council.

4-3. Counseling:

a. AO/FTUS supervisor will counsel AGR soldiers on their potential for career advancement to include civilian and military education, probability of PCS moves, and leader development requirements (Annex 4-B). To ensure that AGR members are aware of progress made during their career, it is necessary for the supervisor to conduct periodic counseling.

b. Counseling may be either positive or negative in nature depending on the performance of the member. Counseling is required each time a performance evaluation is administered and must be accomplished four times during the evaluation year in accordance with ARs 635-105 or 635-205. When a member's duty performance is substandard, written or formal developmental counseling is required. Reports of counseling should identify the specific area of weakness and how to improve performance. The AGR member will receive a copy of counseling statements and the supervisor will retain a copy.

4-4. Career planning:

a. The AGR program for members serving under Title 32 of the United States Code is career oriented. It is intended that personnel entering the program have the opportunity to progress, on a competitive basis, through a sequence of increasingly responsible positions. Plan the AGR member's career with regard to assignments and professional education.

b. Counsel every newly assigned AGR member within 10 working days from date of assignment to the command concerning career planning.

4-5. Command directed reassignment:

AGR members are subject to command directed reassignments within California based upon the needs of the CA ARNG.

a. Command directed reassignments are authorized for AGR personnel only of equal rank to the position currently held.

b. Failure to accept a command directed reassignment will result in separation from the AGR program.

4-6. Stabilization in AGR positions:

AGR personnel are required to serve a minimum of 24 months if MOSQ, 36 months if non-MOSQ, in any full-time position before they will be considered for

another AGR position within the state. The Adjutant General of California will only consider requests for exception to this policy if:

- a. A reorganization occurs which directly impacts on the member.
- b. Changes occur in full-time manning document requirements which directly impact the member.
- c. Reassignment is to fill a "key staff" position. Key staff positions are all Lieutenant Colonel, Colonel and the Sergeant Major AGR Positions.
- d. Reassignment is a result of a change in the soldier's physical profile, and is directed by the MOS Military Review Board (MMRB).
- e. Reassignment is a result of EPS selection.

4-7. Qualification in military assignment:

AGR personnel will be qualified for their assigned MTOE/TDA positions IAW AR 611-100/611-101/611-21. The Adjutant General of California or designated representative may conditionally assign AGR personnel to other positions provided the AGR personnel have the potential to become qualified within 12 months of assignment. Commanders or full-time supervisor will prepare a MOS qualification plan, specifying how and in what time frame the AGR member will become qualified. The command will forward the plan, including copy of the ATRRS reservation screen, to the HRO (with the request for transfer) with a copy maintained at unit level. AGR personnel who do not qualify within 12 months are subject to reassignment to positions for which they are qualified or separated from the AGR program. Reassignment of these members to other positions for which they are not MOS qualified is not authorized.

4-8. Duties:

Full time supervisors will ensure that AGR personnel perform the duties required of the position assigned. Duties of AGR personnel are governed by the functions inherent in the full time position they occupy on the full time personnel manning document, AR 611-101, 611-2, and AR 611-21 by SSI and MOS. Examples of generic job descriptions that provide specific and definitive duties are in Annex 4-C. It is recommended that the commander/supervisor prepare or modify an appropriate job description to meet the unique requirements of the specific position. Further, supervisors/commanders will furnish each AGR soldier a copy of his/her job description.

4-9. Supervision and evaluations (Para 3-4, NGR 600-5):

The senior full-time support (FTS) member assigned to an organization has supervisory responsibilities under the following provisions:

- a. Military rank, DOR if necessary, is the determining factor when designating supervisor responsibilities.
- b. The senior FTS military officer at each headquarters is the overall full-time manager of all FTS personnel in that organization.
- c. Assignment of AGR personnel to organizations where one family member holds or may hold a direct command or supervisory position over another family member is not authorized. Family member is defined as a child, spouse, parent, brother, sister, aunt, uncle, first cousin, nephew, niece, father/mother-in-law, daughter/son-in-law, brother/sister-in-law, step mother/father, step son/daughter, step sister/brother, or half brother/sister.
- d. Commanders will establish officer and NCO rating schemes IAW AR 623-105 and AR 623-205, making a reasonable effort to include the AGR member's

full-time supervisor. When the full-time supervisor is not included, the supervisor will provide written input to the rating official concerning both unit and FTS performance.

4-10. Utilization (Para 3-2, AGR 600-5):

a. Commanders and supervisors are responsible to ensure that AGR personnel are properly assigned and utilized in their military and full-time positions.

b. All AGR personnel are the sole occupants of their assigned MTOE/TDA paragraph and line number positions. Commanders and supervisors at all levels are responsible to ensure that no other individual is "double-slotted" with an AGR member. This does not preclude assignment of traditional guardsmen to those Para/line numbers with multiple position authorizations. The position occupied by the AGR member may not be used to carry excess personnel under current over-strength policy.

c. During periods of IDT, AT, etc., AGR personnel perform the duties of their MTOE/TDA position (i.e. an AGR Readiness NCO assigned as a Platoon Sergeant will perform the duties of Platoon Sergeant during drill.)

d. The commander (battalion level or higher) or the full time supervisor, on behalf of the commander, has the authority to detail an AGR member to perform duties assisting another full time position or location. If the detail would require TDY orders, the command must publish TDY orders with per diem for the AGR soldier.

e. An AGR member may be utilized to assist in State Active Duty (SAD) missions in a Federal Active Duty status. AGR members may not take authorized leave to perform SAD and collect SAD pay.

4-11. Elimination or downgrade of AGR position (PARA 6-2, NGR 600-5):

AGR members who become excess or over-grade due to a force structure change or changes in staffing guide requirements will be notified in writing by CAJS-HR-AGR. AGR members may be in an excess or over-grade status for one year. Within or at the end of 1 year, the following actions will be initiated and will be given priority placement (4-1b(1)) for reassignment:

a. AGR members who are in an over-grade status one year after the effective date will be reduced to the authorized military grade of the AGR position, unless resignation is submitted.

b. AGR members who are in an excess status one year after the effective date will be reassigned or separated.

CHAPTER 5

CAREER PROFESSIONAL DEVELOPMENT PROGRAM

5-1. General:

Professional development is an integral part of an AGR soldier's military career. Proper career planning requires early establishment of a program to provide for progressive duty assignments and maximum utilization of military schooling in order to meet current needs and to develop necessary skills. We must properly manage soldiers who are qualified for and desire career-enhancing assignments. An orderly, well-managed program with opportunities for military education, upward mobility, and timely promotion is essential to attract and retain qualified personnel. Progressive military education is an essential part of an AGR career. Each AGR member will be afforded opportunities for military schooling as outlined in this chapter and CA ARNG Regulation 350-4.

5-2. AGR Initial Entry Training Program:

All newly hired supply sergeants, training NCOs and readiness NCOs must attend the AGR Initial Entry Training Program (AGR IETP) within six months on the initial hire date. Selection and enrollment is the responsibility of CAJS-HR-AGR and the senior commands.

5-3. Program requirements:

Scheduling of AGR members for required MOS/SSI/NCOES schools is the joint responsibility of the soldier, commander, and FTUS supervisor.

a. AGR soldiers are authorized to attend TASS Reserve Component courses where all phases of the course are TASS configured. AGR Soldiers are not authorized to attend partial TASS configured courses. Submission for the TASS configured courses must be done concurrently. (Phase one and phase two must be applied for at the same time). AGR soldiers must complete phase two within two years of phase one completion. Commanders and or FTUS Supervisors will monitor completion of TASS configured courses for the compliance with the two year rule.

b. When there is no AC NCOES course available for the AGR member's duty MOS/primary MOS, the AGR member may submit a request through command channels and CAJS-HR-AGR to attend the RC NCOES. Copy of ATRRS screen (showing non-availability) must accompany the request.

c. Warrant Officers in the grade of CW2 must have a minimum of three years in grade to be eligible for Senior Warrant Officer Training (SWOT).

d. Soldiers who attend NCOES schools and fail academically (including APFT failure) are reviewed for separation from the AGR Program. Commanders review the reason(s) for failure and determine if separation action is required. Supervisors will immediately flag soldiers returned from NCOES for failing the APFT or Army weight standard. Forward a copy of suspension of favorable actions (DA Form 268) to CAJS-HR-AGR and the original to CAMP. Soldiers who fail a second opportunity will be immediately flagged and recommended for involuntary separation from the AGR program. Only the Adjutant General may involuntarily separate an AGR soldier.

5-3. Cross-training:

Commanders and supervisors will initiate an ongoing cross-training program. Cross training will prepare the member for future assignments in other career management fields and other AGR positions. In addition, cross training will enhance readiness by producing a full-time workforce trained to provide mutual

support within the command.

5-4. Officer Candidate School (OCS):

AGR personnel may apply for and, if selected, attend an active or state OCS program course within the provisions of NGR 351-5. Upon graduation from the state OCS program, the AGR member may accept the commission only if selected for assignment to an officer AGR position or the member may accept a certificate of eligibility and continue in AGR status as an enlisted person until assignment can be obtained. If there is no vacant officer AGR position and the AGR member accepts a commission, he must resign his AGR tour. Exceptions to attend active component course (AC) in an AGR status are only authorized when individual is programmed for commissioning upon graduation from AC course. Personnel will not be selected to attend an AC OCS with the intent of accepting a certificate of eligibility. Personnel promoted to a higher enlisted grade to attend OCS will be immediately reduced to the grade from which promoted when they cease to participate in the OCS program.

5-5. Professional Education Center (PEC):

PEC courses are essential to the educational development of soldiers. However, completion of such courses is not mandatory for tour continuation. Attendance at PEC courses is encouraged. These courses are designed to train an individual in ARNG systems and operations. This training will assist the member in performing those AGR duties and functions of the position in which assigned in a more efficient and effective manner. Senior commands will determine, on a case-by-case basis, if AGR members will attend PEC courses. Attendance at MOSQ and NCOES courses must have priority over PEC.

5-6. Warrant Officer Course (WOC):

AGR personnel may apply for Warrant Officer Candidate School providing they have been selected for an authorized AGR Warrant Officer position. Warrant Officer Candidates (except Aviation) must hold the grade prescribed in DA Circular 601-Series (Warrant Officer Procurement Program) prior to selection by the federal recognition board. If there is not vacant warrant officer AGR position and the AGR member accepts a commission, he must resign his AGR tour.

5-7. Promotions and reductions:

Officers/warrant officers will be promoted and federally recognized in accordance with NGRs 600-5, 600-100, or AR 135-155. Qualification and eligibility requirements for AGR enlisted promotions are contained in CAARNG Supplement 1 to NGR 600-200. Promotions will be accomplished only when:

- a. An AGR member is selected from the state AGR MOS OML and is assigned to a MTOE/TDA position that authorizes the higher grade.
- b. Promotion does not exceed the maximum military grade established for the AGR position.
- c. Promotion will not cause the state to exceed the control grade ceilings established for the grade to which promotion is made.
- d. AGR personnel selected to attend Officer Candidate School (OCS) will be promoted to pay grade E6 without selection board action, and time in grade requirements provided promotion does not exceed the maximum military grade established for the AGR position.
- e. AGR soldiers who received an administrative reduction upon selection for an AGR position meet all eligibility requirements (to include NCOES, #1 on EPS, etc), before being promoted. The date of rank to the new grade will be adjusted.

f. NGR 600-200 prescribes the reduction of an enlisted soldier. Forward all request for reductions orders on AGR soldiers through channels to CAJS-HR-AGR.

5-8. Physical fitness training program (Para 4-5, NGR 600-5):

In addition to policies concerning the physical fitness-training program per AR 350-41 and FM 21-20, the following applies:

a. All AGR personnel will participate in a physical training program. All officers and non-commissioned officers responsible for planning, conducting and evaluating physical training and testing must become knowledgeable with the principles, procedures and guidelines in FM 21-20. The welfare and safety of each individual soldier is of the utmost concern.

b. AGR soldiers are authorized to participate in physical training three hours per week during normal duty hours. Supervisors are authorized to temporarily suspend participation in the program if required by mission or surge workloads.

5-9. Army Physical Fitness Testing (APFT)(Para 4-4, NGR 600-5):

A chronological record will be maintained on the DA Form 705. When the member is unable to take the record test, an entry will be made indicating date of test and the reason(s) in the remarks. A copy of the profile (if applicable) must also be provided.

a. All AGR personnel are required to complete and pass the Army Physical Fitness Test (APFT) semi-annually.

b. Army Physical Fitness Test failures:

(1) Immediately place AGR members failing the APFT in a remedial physical fitness program. The commander will initiate a suspension of favorable action (DA Form 268). The mandatory make-up test date must be within 90 days of the original test date. The member may voluntarily take the make-up APFT at any time he/she feels ready within the 90-day window.

(2) When the member retakes the APFT within the 90-day window and passes, he/she is removed from the remedial physical fitness program and the flagging action is terminated.

(3) When the member retakes the APFT and fails a second time, commanders must process the soldier for medical evaluation and then if necessary initiate involuntary separation action from AGR status in accordance with NGR 600-5. Request for separation will be forwarded through command channels to CAJS-HR-AGR.

c. The commander/supervisor will process AGR members who fail to maintain physical fitness standards for involuntary separation from AGR status in accordance with NGR 600-5 (i.e. AGR member fails the record APFT, passes the re-take, fails the next record APFT, etc.)

d. Remedial Physical Fitness Program:

(1) Soldiers enrolled in remedial PT will continue to participate in regularly scheduled PT. Remedial PT is designed to correct weaknesses in the physical fitness of the soldier and raise APFT performance to minimum standards. It is not considered a punitive or disciplinary action. Discontinue remedial PT when the member successfully passes the APFT.

(2) Schedule and execute remedial PT programs for a minimum of one

hour per day for an additional two (2) days each week. The unit MFT will establish the training program whenever possible, and will concentrate on preparing the soldier to meet APFT standards.

(3) If possible, and within the confines of mission demands, supervisors should make every effort to allow AGR members time to participate in remedial PT during the normal duty day. However, extending the duty day to conduct remedial PT sessions after the normal duty day or on Saturday is acceptable if deemed necessary.

5-10. Weight standards (Para 4-4, NGR 600-5):

Soldiers who fail to meet the body composition standards in AR 600-9 will be placed in the Army weight control program. Soldiers failing to make satisfactory progress in the weight control program will be processed and recommended for separation from the AGR program.

CHAPTER 6

INITIAL TOUR CONTINUATION BOARD

6-1. General (Para 5-1, NGR 600-5):

- a. The Adjutant General will establish AGR continuation boards to review and evaluate the records of AGR officers and enlisted soldiers as specified in chapter 5 of NGR 600-5.
- b. Boards will screen AGR records to determine whether soldiers meet the administrative requirements for subsequent duty in the AGR program as specified in paragraphs 5-2 of NGR 600-5 and this SOP.
- c. Boards will not be used to terminate the AGR orders of soldiers who should be removed from the AGR program under provisions of paragraph 6-4 or 6-5 of NGR 600-5 and this SOP chapter 6.
- d. Boards will recommend continuation only for soldiers who are fully qualified IAW paragraph 5-2 of NGR 600-5 and this SOP.

6-2. Procedures:

- a. Tour continuation board - conducted near completion of the initial (three year) tour and by exception only.
- b. CAJS-HR-AGR will notify the AGR member in writing (Annex 6-A) three months prior to their tour continuation board. This memorandum will identify which documents the member is required to submit. The member will complete CAJS-HR-AGR Form 50 (Annex 6-B) and forward with requested documents through the commander, to CAJS-HR-AGR.
- c. Upon receipt of requested documentation, CAJS-HR-AGR will screen the member's records for compliance with AGR requirements (i.e., educational requirements, medical standards, APFT, etc. - Annex 6-C). The records of soldiers who fail to meet all AGR requirements will be forwarded to the continuation board. Only those soldiers who do not meet standards for tour continuation (i.e., MOSQ, Medical, APFT, pending adverse actions), or those non-recommended for retention by their command (evidenced by supporting documentation) will be boarded.
- d. Upon board completion, the President of the Board will recommend to the Adjutant General retention or non-retention based on the board results. The Adjutant General is the final approving authority for separation from the AGR Program. Once approved by the Adjutant General, CAJS-HR-AGR will notify soldiers non-retained within 30 days.
- e. Soldiers not recommended for tour continuation by the board will be separated from the AGR program 90 days following approval by the Adjutant General, unless the member requests earlier release.
- f. CAJS-HR-AGR will recommend involuntary separation and/or retirement to the Adjutant General for those soldier who fail to submit a packet on their own behalf by the identified suspense date. Upon TAG approval, soldiers will be given 90 days notification from scheduled board date.

6-3. Composition of board (Para 5-3, NGR 600-5):

As a minimum, boards are composed as follows:

- a. At least three appointed members who are senior or equal in grade to the AGR soldiers under consideration

- b. One non-voting recorder to maintain a record of board actions
- c. Soldiers being considered for continuation in the program will not be appointed as board members
- d. Family members of soldiers being considered by a board will not serve as a board member or recorder. Family member is defined as a child, spouse, parent, brother, sister, uncle, aunt, first cousin, nephew, niece, father/mother-in-law, step son/daughter, step brother/sister, half brother/sister or first cousin.
- e. Board members will not sit on consecutive boards.
- f. All board members will be present for all sessions.
- g. Boards considering females or minority soldiers will include such representation.

6-4. Conduct of boards (Para 5-3, NGR 600-5):

- a. The president of the board will, prior to convening the board, provide each board member with a copy of the Memorandum of Instruction (Annex 6-D) and ensure that each member fully understands board procedures.
- b. Proceedings will be conducted in closed session.
- c. No one, including soldiers being considered, will appear in person before a board.
- d. Public announcement or individual disclosure of the board proceedings will not be made. The composition, proceedings or any other matter relating to a specific board are not to be disclosed to any individual at any time except as indicated below:
 - (1) Other duly appointed board members
 - (2) The Adjutant General or Assistant Adjutant General of California
 - (3) The Director of Human Resources Office
 - (4) The Inspector General as part of an inquiry
 - (5) The Judge Advocate General as part of an inquiry
 - (6) The state Equal Opportunity Officer as part of an inquiry
- e. Unsolicited correspondence, including commander's recommendation, which contains criticism or reflects upon the character, conduct, or motives of any AGR soldier will not be given to the board
- f. AGR continuation boards will not be used to terminate AGR members who should have been removed for cause from the AGR Program under provisions of paragraph 6-4 or 6-5 of NGR 600-5.
- g. The board must consider all soldiers in the appropriate group or category, such as grade, years of service, and MOS; additionally, all personnel subject to consideration by the board must meet the criteria of AR 135-18, para 2-4, 2-5, and 2-6 for subsequent tour consideration. The board will not retain soldiers ineligible for subsequent duty IAW Para 2-4 of AR 135-18.
- h. The board will examine each soldier's record for demonstrated performance and determine the potential to accept greater responsibilities and

perform at higher levels of assignment. The board examines each soldier's quality of performance and potential by reviewing the following:

(1) OERs/NCOERs as required by the board proceedings letter. If no OERs/NCOERs were rendered or required, the unit commander or full time supervisor will submit a performance appraisal memorandum addressing the member's performance.

(2) Any performance-related adverse counseling statements rendered within the past three years.

(3) Awards, certificates, or letters of commendation/appreciation for job performance issued received in the last three years.

(4) Letters submitted by the member inviting the boards' attention to any matter or record which the member feels is important.

(5) Results on APFT/weight compliance.

(6) Completion of required schools and MOS qualification.

i. AGR continuation boards may only recommend to separate AGR members with documented poor performance. All other separations must be either mandatory or involuntary separations, which are the responsibility of the chain of command.

j. The board president will complete the AGR tour continuation board results form. If the board recommends non-continuation of an AGR member, the reason(s) will be included.

k. The president will forward documents to CAJS-HR-AGR after board action is completed.

l. Upon receipt of board documents, CAJS-HR-AGR will route board proceedings to The Adjutant General for approval. After approval, CAJS-HR-AGR will advise each soldier of the results, in writing, within thirty days

m. CAJS-HR-AGR will maintain board proceedings for three years or until the next AGR Program Management Evaluation is completed.

CHAPTER 7

RELEASE FROM THE AGR PROGRAM

7-1. Types of separations (Para 6, NGR 600-5):

AGR personnel may be separated from the AGR program for the following reasons:

a. Request for voluntary early release (voluntary separations or resignations in lieu of involuntary separations)

b. Expiration of term of service (ETS)

c. Mandatory separation

d. Involuntary separations for cause

e. Voluntary or medical retirement

f. Medical separation (non-retirement)

g. Involuntary due to force structure changes

7-2. General guidelines:

The following policies will be considered prior to release from AGR tours:

a. Personnel undergoing hospitalization or medical board proceedings will not be released until final disposition by medical authorities.

b. Enlisted females who voluntarily elect to separate from the AGR program for pregnancy will be counseled and administered using the procedures contained in AR 635-200.

c. Separation physical examinations must be accomplished at an active military installation. A separation physical examination will not be administered at MEPS. Scheduling of separation physicals is the responsibility of the AGR member. Schedule retirement physicals at an active duty installation between four months and one month prior to retirement date.

d. AGR members requesting early release who depart prior to CAJS-JR-AGR approved release date will be carried in an absent without leave (AWOL) status. The DA form 4187 changing the soldier's duty status to AWOL will be forwarded to CAJS-HR-AGR, placing the member in a "No Pay Due" status.

e. Upon approval of effective release date from AGR status, NO CHANGES to approved leave dates will be granted.

f. AGR members who voluntarily request separation from AGR are not eligible to reenter the AGR program for one (1) year.

g. Separation codes, reasons and RE codes

h. Approved voluntary resignations and retirements cannot be withdrawn during the final 120 days before separation date. Request for withdrawal of voluntary resignation and retirement must be in writing, approved by chain of command, and arrive at CAJS-HR-AGR prior to the start of the 120 day window. Request for exception must be endorsed by the chain of command and meet the following criteria:

(1) Retention of the member on active duty must be in the best interest of the Army National Guard.

(2) Retention of the member on active duty will prevent extreme hardship to the member or immediate family. The hardship must have been unforeseen at the time of original application.

i. AGR members with more than 18 years of active federal service may not be mandated/involuntarily released from AGR status before they become eligible for retirement pay unless such release is approved by the Secretary of the Army. If the member's tour will expire prior to that date, the member will be, with his or her consent, extended on AGR until he/she attains retirement eligibility or the Secretary of the Army approves release.

7-3. Voluntary early release (resignation):

Soldiers forward request for voluntary early release (Annex 7-A) from AGR tour through command channels to CAJS-HR-AGR for approval. The effective date of release, including transition leave, will be a minimum of 90 days from the date of CAJS-HR-AGR approval. Therefore, AGR members must forward their request through command channels, allowing sufficient processing time, to arrive at the AGR branch a minimum of 120 days prior to the desired effective date. Commands will ensure a copy of the DA form(s) 31 for all authorized permissive TDY and transition leave to be taken within 90 days prior to separation date is attached to the resignation request. No changes are authorized to those leave dates after approval of separation date. Early release may only be approved by the Adjutant General.

7-4. Separation at expiration of tour:

AGR personnel will be separated from AGR status at the expiration of their current tour/military ETS if they do not extend (DA Form 4836), or they are ineligible for a subsequent AGR Tour under NGR 600-5 and AR 135-18. AGR personnel will submit the request for voluntary resignation (Annex 7-A) no later than 120 days in advance of their ETS date(CAJS-CS Form 60-1) specifying their intent not to extend their military ETS, thereby not continuing on AGR status.

7-5. Mandatory separation (Para 6-4 NGR 600-5:

AGR personnel will be notified in writing of mandatory separation when the reasons listed below occur. Complete the mandatory separation form (Annex 7-B) and return NLT 45 days prior to separation date. AGR personnel may be separated from the AGR Program without board action regardless of expiration date of their current orders, when:

a. Officers reach their mandatory release date (MRD) in accordance with NGR 635-100 or complete 20 years of active federal service in accordance with AR 635-100.

b. Enlisted personnel reach age 60 or complete the following years of active federal service:

GRADES	YEARS
E5&Below	20
E6	22
E7	24
E8	27
E9	30

c. Soldiers fail to qualify for the required MOS/SSI within 12 months of assignment. Recruiting and retention personnel must qualify in their DMOS (79T) within 120 days of assignment.

d. Soldiers fail to obtain, or lose required security status (NAC, security clearance, security program status, etc.).

e. Members are non-selected by a qualitative selective retention board or AGR tour continuation board.

f. Convicted by civilian or military authorities for an offense that will disqualify them for retention (NGR 635-100, NGR 635-101 or NGR 600-200).

g. Members are discharged from selective reserve, m-day military status (i.e. APFT failure, drug/alcohol program failure, failure to execute a family care plan if required, etc.). When AGR members are separated from military status, CAJS-HR-AGR will coordinate the separation date with the military personnel office (MILPO).

h. Officers are twice non-selected for promotion as not fully qualified on latest mandatory consideration or consideration by a reserve officer promotion board convened by HQ DA (AR 135-153).

i. Enlisted soldiers fail academically from a NCOES course of instruction IAW paragraph 5-2e of this SOP.

7-6. Involuntary separation for cause (Para 6-5, NGR 600-5):

AGR members may be involuntarily separated for cause from AGR status in accordance with the provisions and procedures of this paragraph. The Adjutant General will review all recommendations for separation under this paragraph and will make the final determination. Guidelines for involuntary separation are as follows:

a. When an AGR member's degree of efficiency, manner of performance, or the commission of any derogatory act makes such action appropriate. The commander or full time supervisor will initiate counseling or a letter of reprimand. Counseling forms and letter(s) of reprimand will be documented in the AGR member's military records in accordance with AR 600-37 before initiating involuntary separation actions unless the reason for release would not require such action. Individuals being counseled will verify acknowledgment of counseling session(s).

b. When deciding whether to initiate procedures for involuntary separation, the following factors will be considered:

(1) The seriousness of the events or conditions that form the basis for initiation of separation proceedings. Also, consider the effect of the member's continued retention on military discipline, good order and morale.

(2) The likelihood that the events or conditions will continue to recur.

(3) Whether the actions of the member resulted or are likely to result in an adverse impact on accomplishment of unit missions.

(4) The member's ability to perform full time support duties in a reasonable manner.

(5) The member's potential for further service.

(6) The member's military record. This includes past contribution to the ARNG, assignment, awards and decorations, evaluation ratings, letters of commendation, letters of reprimand, counseling records, records of non-judicial punishment and records of involvement with civilian authorities and any other matter deemed relevant by separation authority.

(7) Possibility of reassigning member.

c. Grounds for involuntary separation under this paragraph include but are not limited to:

(1) Acts of misconduct, whether or not connected with the member's official duties.

(2) Inappropriate professional and personal conduct (includes failure to pay debts).

(3) Loss of professional qualification required for the performance of assigned duties.

(4) Substandard or unsatisfactory performance (includes AWOL).

(5) Acts or expressed sentiments of racism, sexism or prejudice against ethnic or religious groups.

(6) Failure to attain and/or maintain medical, physical fitness and weight standards (AR 40-501, AR 600-9 and AR 350-15). Failure to meet standards for other than medical reasons, which constitute unsatisfactory or substandard performance.

d. A commander may recommend involuntary separation of an AGR member for cause (Annex 7-C) from the AGR program. Before initiating involuntary separation action, the following procedures are suggested:

(1) Counsel the AGR member informing him/her that the commander intends to initiate termination procedures. The counseling should specify the deficiencies of conduct and/or of job performance which will be the basis for termination. The AGR member will be informed of the steps required to correct the deficiencies and given 60 days to make such corrections.

(2) Thirty days following the initial counseling, the AGR member will be evaluated on his/her conduct and performance during the intervening period and informed that the commander no longer intends to initiate termination procedures or what further specific steps the individual must take to correct the deficiencies.

e. If, after the procedures outlined above are completed, the commander desires to recommend termination, the following procedures will be completed:

(1) The commander or supervisor will initiate recommendations for involuntary separation for cause. The memorandum will list reasons for termination, the nature of the offense, rule or regulation violated and characterization of service, if separated (honorable or general). Provide the AGR member copies of all supporting documents; the AGR member will acknowledge receipt of the memorandum, or if mailed, a "return receipt" will be requested.

(2) AGR members will be advised by memorandum of their right to JAG assistance in preparing rebuttals. JAG assistance will be provided upon request.

(3) AGR members may request voluntary release in lieu of involuntary separation. AGR member's will complete the form for voluntary early release (Annex 7-A), specifying this resignation is "in lieu of involuntary separation action". This form will be attached to the request for involuntary separation and forwarded as part of the package for the Adjutant General's review.

(4) Provide the AGR member 15 days from receipt to rebut or comment and return the recommendation to the commander.

(5) If the AGR member does not reply within the specified period of time, the request for separation, with supporting documents, will be forwarded

through command channels to CAJS-HR-AGR.

(6) If the AGR member submits a rebuttal, the rebuttal will be attached to the request for separation and forwarded through command channels to CAJS-HR-AGR. If additional information, documents or facts are added by the command, the AGR member has the right to further rebut the additional information.

(7) An involuntary AGR separation review board will be convened to review the separation request and determine if involuntary separation action is justified. The board will submit a recommendation to the Adjutant General for final approval.

(8) Unless otherwise requested, AGR personnel involuntarily separated for cause will receive a "general" discharge from AGR Status.

7-7. Retirement (PARA 6-7 NGR 600-5):

AGR members are eligible for retirement after completion of 20 years of active federal service (including AGR, ADSW, ADT, AT, EAD, IADT, and other tours under Title 10 USC or 23 USC) or at age 60.

a. AGR enlisted members retiring after completion of 20 years active federal service retire at the highest grade held during the active military career, unless reduced for cause.

b. AGR officers and warrant officers retire at the highest grade held.

c. Personnel cannot receive retired reserve pay at age 60 if already retired from active duty.

d. Retirement privileges: In addition to retirement benefits, military retirees are accorded a number of privileges. These are not guaranteed and may not be extended to retirees at all times. Family members who are entitled to ID cards are also eligible for the privileges. With the exception of commissaries, retirees can be excluded from using facilities deemed inadequate. Commissaries are open to retirees at all installations in the United States, regardless of adequacy. The same is usually true of exchanges. Other facilities, such as recreational services activities, libraries, open mess, chapels and theaters are usually open to retirees. Legal assistance is available, but not for business purposes.

e. Personnel will not normally be extended in an AGR status beyond their MRD. Officers may request an extension beyond their MRD to complete 20 years Active Federal Service by sending the request to the AGR manager. Approval can only be granted by National Guard Bureau. Additionally, personnel will be subject to mandatory release from AGR duty when they have attained sufficient years of qualifying service for retirement (20 years) purposes under provisions of 10 USC 1293, 3911, or 3914 (Title 32 qualifying service (20 years) unless they have been approved to be voluntarily retained. Waiver must be submitted in accordance with paragraph 6-4d, NGR 600-5. Once an Officer is qualified for retirement, they will retire at the end of the month following the month for which qualified.

f. Retirement processing:

(1) AGR members will be notified by CAJS-HR-AGR (Annex 7-D) when they complete 18 years of active federal service.

(2) Retirement annuities (20 or more years of active federal service) must be requested by the soldier. An application for retirement will be submitted through command channels, to CAJS-HR-AGR a between 12 and 6 months prior to retirement date.

(3) Officers and warrant officers will submit a memorandum (Annex 7-E). Enlisted members will submit a request for voluntary retirement as per Annex 7-F).

(4) When the soldier is unable to attend out-processing on their own due to medical incapacitation, the spouse may accompany the AGR member. Submit request for invitational travel order with the retirement packet. The member's RFO will be completed through normal channels.

(5) AGR members must take the following items to retirement out-processing at Fort Lewis, WA:

(a) Original health and dental records. The AGR member should obtain a copy of these files.

(b) Physical (obtained 1-4 months prior to retirement date)

(c) Electronic deposit verification

(d) DA 3713 from NGB (for officers)

(e) Retirement order from NGB (for officers)

(f) DA 4240 if spouse does not accompany service member

(g) ACAP Certificate

(h) DA Form 31 - Terminal Leave and Permissive TDY

(i) DA Form 137-1-R - Unit Clearance Report

g. AGR members requesting retirement based upon age 60 must contact the AGR retirement NCO for retirement instruction. The AGR member will complete a request for retirement (AGE 60), and forward to CSJS-HR-AGR 6 to 24 months prior to retirement date.

7-8. Documentation of AGR service:

CAJS-HR-AGR will prepare DD forms 214 and 215 in accordance with AR 635-5 for AGR personnel (except for retirements separations). The DD form 214 will be issued for periods of over 90 days active federal service. The DD form 215 may be issued to correct a DD form 214. The service member must provide written documentation of the disputed item(s) to CAJS-HR-AGR. It is the responsibility of the service member to safeguard his/her military records, including DD forms 214/215. The original should always remain in the member's possession. DD forms 214/215 cannot be reissued (AR 635-5).

7-9. AGR out-briefing:

All Army AGR members separating for any reason will be given an out-briefing by their command. The command is responsible to perform the following actions:

a. Counsel the individual as to what status he/she will enter (i.e., drill status, ING, or discharge).

b. If the individual is returning to drill status, take the following actions:

(1) Identify the unit, paragraph and line number to which the individual will be assigned, include with the request for separation and mail to CAJS-HR-AGR. Advise individual of his/her new unit of assignment. If the

soldier is staying in the same unit as a traditional Guardsman, a SIDPERS, change of DMOS, para/ln number coding sheet (CA ARNG 680-2-6) must be submitted with the request for separation. If the soldier is moving to a new unit as a traditional Guardsman, a request for orders for the transfer must accompany the request for separation.

(2) Counsel the individual on the drill dates; where and when to report.

c. If the individual desires transfer to the Inactive National Guard, forward request packet IAW NGR 614 - 1 and CAL ARNG Supplement 1, to MILPO.

CHAPTER 8

PAY AND ALLOWANCES

8-1. General:

a. The Joint Service Software (JSS-Army) is an Army wide system. The responsibility for its effective administration rests with the commander. Operational responsibility for military pay accounts maintenance rests with the Defense Finance and Accounting Service (DFAS) and the servicing Finance and Accounting Office (FAO).

b. Process documents pertaining to pay in a timely and accurate manner.

c. All AGR personnel are responsible for insuring that the appropriate finance documents are submitted in accordance with this chapter and AR 37-104-3. Upon receipt of the monthly leave and earnings Statement (LES), the AGR member is responsible to review this statement to insure the information is correct.

d. A good resource for questions regarding specific pay issues or to obtain your monthly LES, yearly W2 form is www.dfas.mil/mypay/. To access this information, each soldier has to have a PIN number. The website provides instructions on how to obtain one.

8-2. Transmittal of finance documents:

All documents reflecting changes to pay must be submitted via a letter of transmittal to FAO. To ensure that pay changes are initiated and processed at the FAO, units must forward all pay related documents to CAJS-HR-AGR for processing. Some conditions which change pay entitlements include change in marital status, gain or loss of a legal dependent, promotion/reduction or reassignments. Forward the DD Form 93 and VA Form 29-8286, or Form SGLV - 8286 to CAMP-EPM. One copy of the SGLV will be forwarded to CAJS-HR-AGR when the election coverage is other than \$200,000. The FAO will accept only originals of the following pay related documents will be used:

a.	<u>FORM</u>	<u>TITLE</u>
	DA Form 2142	Pay Inquiry
	DA Form 3685	JUMPS - Army Pay Elections
	DA Form 4187	Personnel Action
	DA Form 5960	Authorization to Start, Stop, or Change Basic Allowance for Housing (BAH)
	DD Form 1561	Statement to Substantiate Payment of Family Separation Allowance
	DD Form 2058	State of Legal Residence Certificate
	DD Form 2558	Authorization to Start, Stop or Change an Allotment
	DD Form 2559	Saving Bond Allotment Authorization

DD Form 2560	Advance Pay Certification/ Authorization
SF 1199A	Direct Deposit Signup Form
W4 Form	Employee's Withholding Allowance Certificate
Blank Form	Statement of Understanding for Allotments
CAJS-HR-AGR Form 71	Finance Documents - Reassignment

b. Supporting documents for above original forms may be submitted in copies except for marriage/birth certificates, which must be notarized or certified.

c. The ORIGINAL and ONE COPY of all finance documents will be forwarded to USPFO-AGR Pay. Incomplete documents will be returned to the AGR member.

d. Travel vouchers must be transmitted to the USPFO for processing.

8-3. Maintenance of Personal Financial Record (PFR) (DA FORM 3716):

When a soldier enters AGR status, the unit of assignment may maintain a PFR on the soldier. Copies of all finance/supporting documents relating to the soldier's AGR pay will be filed in PFR. This includes copies of all marriage/birth/divorce certificates, DD Form 93 and VA Form 29-8386 or SGLV Form 8286, etc.

8-4. Basic pay entitlements/allowances:

a. Basic Pay - based on individual's pay grade and length of service for pay purposes.

b. Basic Allowance for Housing (BAH) - entitlement based upon pay grade, with or without dependents, and duty ZIP Code.

c. Basic Allowance for Subsistence (BAS) - payable at the "rations not available" rate.

d. Enlisted Clothing Allowance Entitlement - An annual clothing allowance is authorized for repair and replacement of clothing and is paid at the end of the member's anniversary month of active duty. Upon completion of the initial 12th month of uninterrupted active duty, payment will be made for one-half the annual rate and the full annual rate thereafter.

(1) Basic Replacement Allowance - This allowance provides for replacement of military item which would normally require replacement during the first three years of active duty. NOTE: If soldier departs active duty and returns at a later date on active duty orders, the soldier starts at the basic replacement allowance rate even if soldier was at Standard Replacement Allowance previously and must wait 36 months until standard replacement Allowance resumes.

(2) Standard Replacement Allowance - This allowance provides for continued replacement of military items, which would normally require replacement after completion of 3 years active duty.

(3) No action is required on the part of the soldier. The clothing allowance entitlement is based on the date of entry on AGR status and whether male or female.

e. Soldiers in appropriate MTOE/TDA positions are entitled to flight/proficiency pay (SDAP) while on AGR tours of duty (i.e., Flight status, Pilots, Recruiting and Retention NCOs). The command will forward orders awarding flight/proficiency pay to CAJS-HR-AGR.

8-5. Pay options:

a. Regularly scheduled payments are available to soldiers on the 1st and the 15th day of each month. When twice a month pay option is selected, the soldier will receive 50% of pay and allowances on the 1st day of the month and the other 50% on the 15th day of the month.

b. Direct Deposit (Sure-Pay). This action is mandatory for initial entry in AGR status. Complete the DA Form 3685-R (JUMPS -JSS Pay Election Form) and Standard Form 1199A (Authorization for Deposit of Federal Recurring Payments). The SF 1199A must be completed by the financial organization. The DA Form 3685-R is required with the SF 1199A.

8-6. Processing Basic Allowance for Housing (BAH) entitlements:

A married soldier (excluding spouse in service) who is not assigned family quarters and supports his/her dependents, is entitled to receive BAH with dependents. A single soldier without dependents is entitled to receive BAH without dependents.

a. Types of Dependents

(1) Primary dependents are categorized as follows:

(a) Spouse (if not in service). Requires certified copy of marriage certificate.

(b) Unmarried legitimate child under 21 years old (includes child of two active duty soldiers or child living with active duty soldier who is divorced). Requires certified copy of birth certificate and copy of court documents awarding custody of minor child.

(c) Child, out of wedlock, under 21 years old. Requires submission of the DD Form 1137, certified copy of birth certificate and the DA Form 5960.

(d) Unmarried legitimate child under 21 years old. Child living with former spouse (divorced). Requires copy of court order awarding child support. In order to receive BAH w/dependent rate, the amount of the child support must be equal to or greater than the BAH w/dependent rate of soldier's grade.

(e) Adopted child under 21 years old. Requires certified birth certificate.

(f) Step child under 21 years old. Requires certified birth certificate and marriage certificate.

(g) Unmarried legitimate or illegitimate child over 21 years of age who is incapable of self-support because of mental or physical incapacity. Requires court documentation.

(h) Spouse in military service other than the United States. Requires certified marriage certificate.

(2) Secondary dependents are parents (including "in loco parentis"). Requires submission of the DD Form 37, court documentation, and the DA Form

5960.

b. The following categories of individuals are not considered dependents for BAH purposes UNLESS appointed by court order as dependents:

- (1) Brother/sister.
- (2) Mother/father-in-law.
- (3) Aunts/uncles/grandparents not identified as "in loco parentis".

(4) A minor child who is entitled to basic pay as a soldier on active duty in any uniformed service. This includes a minor child attending one of the military service academies where quarters are furnished by the United States.

c. Support of Dependent. Failure to support a dependent on whose account BAH is claimed will result in non-entitlement. BAH is not payable on behalf of a dependent that a member refuses to support. Commanders will notify the FAO in writing when such a situation exists in their command, and will specify that the member's BAH be terminated.

d. Application Procedures for BAH:

(1) Upon Initial Entry into the AGR Program, submit the following documents to CAJS-HR-AGR at the time of in-processing:

- (a) DA Form 5960
- (b) Copies of current rental/lease/mortgage contract

(2) Upon change of duty station;; this occurs with transfers and reassignments of the AGR soldier (including interstate transfers). When a soldier's duty station (ZIP Code) changes, whether or not the soldier relocates his/her residence, a copy of the PCS orders will be submitted.

(3) Married: Send the following documents to CAJS-HR-GR within thirty days of the effective date to start authorization for BAH at the with dependent rate.

- (a) A certified true copy of the marriage certificate
- (b) DA Form 5960

(c) Copies of rental/lease/mortgage contract, insurance contract and proof of taxes

(4) Divorced: Application for BAH (at without dependents rate) will be accomplished when an AGR member, without other dependents, gets divorced. The following documents will be forwarded to CAJS-HR-AGR without delay:

- (a) A copy of the divorce decree
- (b) DA Form 5960
- (c) Copies of rental/lease/mortgage contract

(5) Both spouses in service (with children):

(a) When one of two soldiers married to each other is receiving BAH at the with dependent rate, any child born of their present marriage is considered to be within the class of dependents for which a soldier is already receiving BAH. An example would be if a divorced E7 being paid BAH at the

with dependents rate for child remarries an E4 with no dependents. The E4 would receive BAH at the without dependents rate providing he/she is not assigned or occupying government quarters. Any children born of their marriage would be considered within the class of dependents for the E7. The E4 would not be entitled to receive BAH at the with dependents rate.

(b) When neither of two soldiers married to each other are receiving BAH at the with dependents rate (each has no previous dependents) and a child is born of their marriage or a child is adopted, an election of entitlement of BAH for their children will rest with the senior soldier. Entitlement may later be transferred to the other soldier in the event of promotion or similar change of circumstances, which would merit such transfer.

(c) When only a stepchild is involved, either the stepparent or the natural parent may claim that child for BAH purposes. The stepparent must meet the requirements of part three, Chapter 2, Para 30239, DODPM to be entitled to BAH on behalf of the stepchild. However, if the natural parent objects to the other soldier claiming the stepchild, then BAH entitlement rests with the natural parent.

8-7. Processing Basic Allowance for Subsistence (BAS):

AGR enlisted soldiers are authorized BAS - Rations Not Available (RNA); officers at a standard rate except when rations are available (i.e., field or TDY status). The following procedures will be followed to re-coupe/suspension/reinstatement of BAS:

a. AGR soldiers in an annual training (AT) status or TDY status or less than thirty days will complete DA Form 4187 to re-coupe RNA.

b. Soldiers attending service schools where rations are available (i.e., issued a meal card) must submit a DA Form 4187 for collection of TNA within 15 days of completion. If service school is for an extended period of time (90 days or more), submit a DA Form 4187 to stop RNA. Upon completion of school, submit a DA Form 4187 to start RNA, along with a copy of DA Form 1059 (Completion of School).

c. Soldiers attending service schools where rations are not available must include a certificate of non-availability (DD Form 1351-5) with the travel voucher (DD Form 1351-2) upon completion of TDY.

8-8. Processing allotments:

a. Allotment processing is accomplished by completing the DD Form 2558 and the Statement of Understanding. The original and one copy are transmitted to USFPO/AGR Pay, one copy is maintained in the PFR at the unit, and one copy retained by the individual. The Statement of Understanding is not required when stopping an allotment.

b. Types of Allotments:

(1) SPT-D. Support voluntary allotments are for the purpose of voluntary support of dependents. The allotments may be made for support of the member's family, divorced spouse, or dependent child. PST-D allotments are not authorized to friends and/or for repayment of personal loans to another individual. It may be made payable to the allottee or to a bank or credit union for credit to the dependent's account. When the allotment is made payable to a financial institution, the allottee must make satisfactory arrangements with the financial institution to accept deposits of the check before initiating the allotment. Allotments will be established for an indefinite period of time. Soldiers can have multiple allotments, but not more than one to the same payee.

(2) FININ allotments are for payment to a financial organization for credit to the soldier's own savings, checking or trust accounts. A FININ allotment to any type of loan or time payment account is not authorized. The only financial organizations authorized as allottees for this type of allotment are banking organizations, building and loan associations and credit unions.

(3) HOME allotments are for repayment of loans for the purchase of a home, mobile home or house trailer used as a residence by the allottee. The soldier must make satisfactory arrangements with financial organization to accept an allotment check prior to initiating the allotment. HOME allotments are not authorized for the purpose of repayment of loans for business purposes or for improvements of homes, mobile homes or trailers. Allotment will be established for an indefinite period of time. Number of allotments - only one authorized.

(4) INS allotments are for the purpose of paying premiums of commercial life insurance policies on the life of the soldier, spouse and /or children. They must be payable to a commercial life insurance firm. This also includes National Guard Association insurance. INS allotments are not authorized for health, accident or hospitalization insurance, except for medical allotments - a soldier may have multiple INS allotments. However, if he has more than one policy with the same company, premium payments must be combined into one allotment to that company. An INS allotment will be established for an indefinite period.

(5) FED allotments are for the purpose of payment for delinquent Federal, State, and local income or employment taxes and/or indebtedness to the United States (includes not only debts owed directly to the US Government, but also debts owed to an organization for funds administered on behalf of the Federal Government and any such debts assigned to a collection agency). A separate allotment is required for each debt or overpayment to be repaid. FED allotments will not be established for indebtedness to the US Army. Any amounts due the US Army will be collected from the soldier's pay in a normal manner. Prior to requesting authorization of FED allotment, the soldier must get a letter of debt ID from the agency concerned. The letter must show the account number and the amount of the required monthly payment. Term and amount - FED allotments will be established for a definite term. However, FED allotment will not be established for a period of less than 3 months or for less than \$5.00 a month. The amount of the allotment must divide the indebtedness into equal payments.

8-9. Saving Bonds:

Bond allotments are accomplished by completing the DD Form 2559 and the Statement of Understanding. BOND allotments are for the purpose of purchasing U.S. Savings bonds on a monthly and/or multi-month basis (2, 4 or 8 months) as authorized by DODPM paragraphs 60103a(1) and 60501 through 60505. BOND allotments can be effective any month of the year.

a. Savings bonds must be made payable to an individual; they cannot be made payable to organizations. A soldier may select any individual to be owner, co-owner or beneficiary.

b. The soldier may also direct the bonds be held in safekeeping by commander, DFAS, Dept 22, Indianapolis, IN 46249. For release of bonds in safekeeping, the soldier should submit written application to: Command, DFAS, ATTN: Dept. 22, Indianapolis, IN 46249-0001. THE SOLDIER MUST BE THE BOND OWNER.

c. A soldier may have multiple BOND allotments. A separate allotment must be established for each bond the soldier wishes to purchase. BOND allotments will be established for an indefinite period. The amount of BOND

allotment must be \$100.00, \$200.00, \$500.00 and \$1000.00 denominations for a new subscriber.

d. SSN of Owner, Co-owner, or Beneficiary. U.S. Treasury regulations require the SSN of the owner, co-owner, and/or beneficiary be provided on the DD Form 2559.

Monthly Bond Deductions

<u>Purchase Price</u>	<u>Number of Months</u>	<u>Face (Denomination) Value</u>
\$ 50.00	1	\$ 100.00
\$100.00	1	\$ 200.00
\$250.00	1	\$ 500.00
\$500.00	1	\$ 1000.00

8-10. Family Separation Allowance (FSA):

When a soldier is separated from his/her family due to TDY for more than 30 days, the soldier is authorized FSA. The soldier can apply for FSA on DD Form 1561 (Statement to Substantiate Payment of Family Separation Allowance) (See Annex 7-H) after completion of TDY. Copies of DD Form 1610 (TDY Orders), DD Form 1351-2 (after USFPO has done their computations and soldier receives the computed DD Form 11351-2 back) and DA Form 1059 must accompany the completed DD Form 1561. NOTE: The type of FSA, under most circumstances, will be Type II FSA-T.

8-11. Advance pay Incident to Permanent Change or Station (PCS):

a. An advance pay is ONLY authorized incident to PCS. The purpose of an advance of pay is to provide a soldier with funds to meet the extraordinary expenses of a government-ordered relocation. An advance of pay shall not be authorized for the specific out-of-pocket expenses covered by advances of other pay and entitlements. The soldier may be authorized an advance of pay to the extent that incurred or anticipated expenses exceed those covered by the following advances or reimbursements, or are outside the scope of those entitlements:

- (1) Soldier and/or dependent travel allowances and per diem
- (2) Dislocation allowance
- (3) Basic allowance for quarters and/or variable housing allowance

b. An advance pay for a PCS move in the same geographic area of a soldier's prior duty station or place from which ordered to active duty is only authorized when the soldier moves his/her household effects at government expense. Proof of HHG shipment is required before advance pay for PCS moves in the same geographic area is paid.

c. All soldiers requesting an advance pay for PCS are required to complete DA Form 2560 and forward to USFPO-AGR Pay. The soldier may request one to three months of advance basic pay (less taxes). Justification is required when a soldier requests an advance of more than one month.

8-12. Payment of accrued leave:

Upon completion of the initial three-year tour, all AGR personnel may request payment of accrued leave. Upon completion of subsequent tours, only enlisted AGR personnel may request payment of accrued leave. Officers can only receive

payment of accrued leave upon completion of initial tour. The following conditions apply for payment of accrued leave:

a. Selling accrued leave could result in the non-availability of enough ordinary leave needed for emergencies or transition leave if a soldier separates from AGR status.

b. Payment made for accrued leave, since 1- Feb 76, is limited to sixty days during the soldier's service career.

c. Payment may occur only in conjunction with a follow-on AGR tour order and is subject to normal tax withholding. Pay is made at base pay rate only and does not include any allowances.

d. The FAO cannot make payment until the effective (reporting) date of the follow-on tour order.

e. The soldier must request payment of accrued leave, to arrive in CAJS-HR-AGR at least fifteen days prior to the reporting date shown on the follow-on tour orders. Requests will be submitted in memorandum format, through command channels, to AGR pay. Attach one copy of the follow-on tour order plus one copy of previous tour order(s).

8-13. Casual payments:

All casual pay requests must be submitted on a DA Form 2147, Pay Inquiry and forwarded to USPF0-AGR Pay for action.

a. Commander's recommendation. The commander, after interviewing a soldier, who feels that a casual pay is warranted will furnish in block 3, section II, DA Form 2147, sufficient facts that clearly establish the soldier's need for such monies. When health and welfare of a soldier's family member(s) would be jeopardized by denial of a casual payment, this will clearly be stated. The FAO will base the decision to pay or not to pay upon the commander's recommendation whenever possible.

b. Separation Month. A casual payment is not authorized to a service soldier during the month of separation from the service.

c. Collection. A casual payment is usually collected in full from the soldier's next regular pay or, if received after cut-off, from the following month's pay. Repayment may not be made in installments. NOTE: Casual payments may not immediately be collected from the soldier's next regular pay. Soldier is reminded to verify when casual pay received has been collected. Some casual payments have been collected up to 8 months after the casual pay has been received.

8-14. Pay inquiries:

All individual pay inquiries, DA Form 2142, should be screened at the unit level to determine the most effective method of resolving the individual's inquiry. Commanders and pay assistance NCOs should make every effort to resolve the problem. Most inquiries can be resolved by explaining the member's LES to him/her or by referring to the file to determine if or when a pay change document was processed. If the pay problem cannot be resolved at unit level, forward the DA Form 2142 to AGR pay at USPF0 for processing.

CHAPTER 9

MEDICAL/DENTAL CARE

9-1. General:

a. AGR personnel will use medical and dental care entitlements/benefits as prescribed by ASD/HA Policy Memo, Subject: Implementation of Supplemental Health Care Policy Changes, dated 31 Dec 97 and TRICARE/CHAMPUS Policy Manual 6010.47-M. All AGR personnel are required to enroll in TRICARE Prime or Prime remote.

b. TRICARE has three categories:

- (1) TRICARE for eligible family member(s) (standard, extra or prime)
- (2) TRICARE Prime (active duty members only)
- (3) TRICARE Prime Remote (civilian health care for active duty members and family members living and stationed in remote locations)

c. All Title 32 Active Guard Reserve (AGR) soldiers, airmen and airwomen who work within 50 miles of a military treatment facility (MTF) must enroll in TRICARE Prime. These AGR members are assigned to a Primary Care Manager (PCM) at the MTF for their health care delivery. Eligible AGR members must contact their nearest TRICARE Service Center or Health Benefits Advisor to enroll. Each AGR member is responsible for ensuring their personal information is accurate in DEERS prior to enrolling in TRICARE.

d. The following guidance (Para 9-1, e) applies to TRICARE Prime Remote (tpr) only. Even if you are not currently eligible for TPR, it is highly recommended that you review the following portions of this chapter. Most AGR soldiers, sometime during their career, qualify for TPR and will need this information. Please refer to Paragraph 9-3 for TRICARE Prime.

e. TRICARE Prime Remote (TPR) is for active duty service members (and Reservists or National Guard members on orders for active duty for 30 days or more) who meet the following criteria:

- (1) Reside more than 50 miles from a military medical treatment facility (MTF), and
- (2) Work more than 50 miles from an MTF (work place is defined as where members go to work on a regular basis, not necessarily where the unit address is located).
- (3) In cases where geographic boundaries create undue hardship for travel, members living closer than 50 miles may be eligible to enroll.
- (4) Contact TRICARE Prime Remote website, www.tricare.osd.mil/remote, and type in residential and work ZIP codes to determine eligibility. Or call the beneficiary services phone number for service area - the numbers are included in this chapter.
- (5) Circumstances regarding the selection of a health care provider to deliver member's health care will vary for AGR members based on where they live. The possibilities are separated into the following two categories:

(a) TRICARE Network Area. Although the soldier lives far from a Military Treatment Facility (MTF), DOD and the TRICARE contractor may have established a civilian TRICARE network in that area. If this is the case, the soldier must select a PCM from the provider directory in that area. A provider directory can be obtained by calling the beneficiary information

line. The member may change the PCM at any time if more than one provider is available.

(b) Non-Network Area. When soldiers live in an area where there is not a TRICARE network, they are free to use any authorized TRICARE provider in the local area. The different types of providers are:

(1) TRICARE Network Providers - a group of health care providers who have agreements to provide services or supplies to beneficiaries at a negotiated rate. The TRICARE network includes doctors, hospitals, pharmacies and other providers who have agreed to meet credential standards. These providers handle claims and other paperwork.

(2) Participating TRICARE providers - health care providers who are not contracted by TRICARE but are certified TRICARE providers who agree to accept TRICARE reimbursement rates as payment in full and submit the claims for services rendered. These providers may choose whether or not to participate with TRICARE on a claim-by-claim basis.

(3) Non-Participating TRICARE Providers - health care professionals who are TRICARE-certified providers but do not agree to accept the TRICARE reimbursement rates as payment in full for their services. These providers may bill above the TRICARE reimbursement rates. The law limits payment to these providers to 115% of the TRICARE allowable charges. TRICARE will reimburse actual costs for covered benefits when a claim for payment is submitted.

(4) Non-Authorized TRICARE Providers - Providers who are not TRICARE-certified (examples include some physicians, acupuncturists, and chiropractors). Active duty members are responsible for the bill in full for care from these providers unless they have obtained pre-approval from their service point of contact (SPOC).

(6) Emergency Medical Care - Applies to both Prime Active and Remote. When soldiers require emergency care, they must go to the nearest military or civilian emergency room (or urgent care center) or call 911. Soldiers should be familiar with the local emergency phone numbers.

(a) Emergency care is generally defined as "acute symptoms of sufficient severity that a prudent person can reasonably expect the absence of medical attention to result in placing that individual's health in serious jeopardy, serious impairment to bodily function or serious dysfunction of any bodily organ or part

(b) Preauthorization is not required before receiving emergency medical care. However, it is necessary to contact the PCM, health care finder (HCF) or the Military Medical Support Office (MMSO) as soon as possible after getting emergency treatment or being admitted to a hospital. The AGR Medical NCO can assist with transfer to a military hospital if necessary, and/or ensure that medical bills are sent to the proper location for payment.

(7) About the PCM - A PCM is a health care provider who assumes primary responsibility for health care needs and offers continuity of care. It is imperative to contact the PCM whenever non-emergency care is required. The PCM will either provide the needed care or refer patients to a specialist. If soldiers seek non-emergency care from other sources without first contacting the PCM, they are subject to financial responsibility for those health care services.

(8) Members without a Primary Care Manager (PCM) - Some areas do not have a network of providers. In these cases, soldiers will use a TRICARE - authorized provider (an authorized provider is a licensed medical provider approved by TRICARE to provide medical services). To be sure a provider is TRICARE - authorized, soldiers should call the regional health care finder.

There is also a listing of TRICARE-authorized providers available on the TRICARE web site.

9) Routine Medical care - The PCM will provide most health care. Calling the PCM or provider's office normally makes routine appointments.

(a) Routine care from the primary care manager or provider does not require any type of approval or pre-authorization.

(b) Routine care includes routine office visits (to include laboratory tests and x-rays) as well as preventive health care. Preventive care includes:

Immunizations

Hearing Tests

Routine Eye Exams

Breast Exams and Mammography

Pap Smears

Prostate Exams

(c) Pre-authorization is needed for routine maternity care, physical therapy, and mental health services, family counseling and smoking cessation programs. Soldiers should call the health care finder for authorization prior to obtaining medical care and treatment that fall into these categories.

(10) Specialty Care - The PCM or provider must obtain pre-authorization from the health care finder (HCF) before soldiers obtain specialty care.

(a) Pre-authorization from the HCF is required for all specialty care, non-emergency hospital admissions, and medical/surgical procedures in a doctor's office. Pre-authorization is also needed for pregnancy care, physical therapy, mental health/psychiatric services, and family counseling programs.

(b) Either the PCM/provider or soldiers must call the regional health care finder to (1) obtain pre-authorization, and (2) help select a network specialist.

[1] The health care finder refers all specialty care requests for AGR members to a service point of contact (SPOC) - a designated military health care specialist - who will review all requests for specialty care to determine if the requested health care requires a "fit for duty" determination.

[2] If the reviewer thinks that the soldier's condition may change his/her fitness for military duty or requires a medical board, referral is made to the closest military treatment facility (MTF) with the ability to provide the care and make a duty determination. Otherwise, the reviewer can provide referral to a civilian specialist for the care. As a rule, pregnancy care will be provided locally. The AGR branch is in contact with the SPOC to stay informed of any AGR member fitness for duty issues.

[3] The commander may also request a military medical evaluation after consultation with the AGR branch.

[4] The HCF will respond promptly regarding all requests for specialty care authorization. The SPOC will provide a reply to the HCF within

two (2) working days of a request or sooner for an urgent problem.

(11) Veterans Affairs (VA) Hospitals - Many VA hospitals participate in regional TRICARE networks. Soldiers may elect to be referred to such facilities for specialty care, if they so choose.

(12) Prescription Drugs - Prescription drugs may be obtained in the following ways:

(a) National Mail Order Pharmacy (NMOP) - The DOD has a mail order program that allows you to have your medications sent to your home. AGR members incur no additional cost for using this service. This option is particularly useful for individuals who have a long-term prescription drug requirement. This is not a good option if the medication is required within a day or two. A brochure on the NMOP is included with the enrollment kit. Additional information on NMOP is also available on the TRICARE home page.

(b) Network Pharmacy - In the TRICARE Preferred Provider Directory, there is a listing of TRICARE network pharmacies. These pharmacies will fill prescription and will file the TRICARE claim on the soldier's behalf (with no up-front payment required).

(c) Military Treatment Facility (MTF) - Another option is to have the prescription filled at a military hospital or clinic.

(d) Other Pharmacies - If there is no network pharmacy nearby, soldiers can use any pharmacy in the area. This option is available only under this circumstance. Otherwise, the pharmacies listed in the provider directory supplied by the regional contractor must be utilized or the soldier becomes responsible to pay for the prescription at the time of service. If this occurs, a claim and receipt for the bill paid can be submitted for full reimbursement from TRICARE.

(13) Mental Health - The TRICARE program also covers mental health care needs. Active duty service members must obtain pre-authorization from the health care finder before seeking care from a civilian mental health specialist.

(14) Dental Care - The active duty benefit under the TRICARE Prime Remote program includes access to dental care. Due to numerous closures of military facilities, a dental waiver allowing civilian dental treatment has been authorized for AGR soldiers who otherwise qualify for TRICARE Prime but reside and work farther than 50 miles from a military dental facility. Only TRICARE can issue waivers for individual service members, units or geographical areas. The AGR Medical NCO can assist in obtaining the dental waiver. There is no preferred dental network, so any licensed dentist may be used. Dental care issues are not managed through the regional contractors. Soldiers may contact their service point of contact (SPOC) directly for information and authorizations related to dental treatment or contact the AGR Medical NCO @ (916) 854-3406.

(a) Pre-authorization for routine dental treatment is not required for dental care that costs less than \$500.00 per episode of care. Routine dental treatment includes diagnostic (exams, e-rays) and preventive procedures (temporary fillings, cleanings and periodontal scaling), routine restorations (amalgams or composite fillings), extractions, root canal treatments and minor periodontal treatment.

(b) Pre-authorization is required for dental treatment that involves more than \$500 per episode or more than \$1,500 per calendar year. Extensive or specialty care requires pre-authorization from the service point of contact (SPOC) prior to initiation. A military treatment facility/dental treatment facility (MTF/DTF) may require evaluation or treatment of these conditions

prior to authorization. This category includes, but is not limited to: crowns, bridges, veneers, implants, surgery, and temporomandibular joint dysfunction (TMJ) treatment.

(c) Orthodontic services are not a covered benefit unless specifically indicated by a military orthodontist.

(d) Read the Military Medical Support Office (MMSO) Dental Instructions for more complete information about the TRICARE Prime Remote dental program. This instruction and forms, as well as other information about MMSO, may be found on the MMSO web page: <http://mmsso.med.navy.mil>. The phone number for a MMSO customer service representative is 1-800-MHS-MMSO (1-800-647-6676) for general information or questions pertaining to pre-authorization, claim processing, or to check on the status of a dental claim.

NOTE: To file dental claims (including pre-authorization) submit to:

Military Medical Support Office (MMSO)
Attn: Dental Claims
PO Box 886999
Great Lakes, IL 60088-6999

(e) The claim must be sent to the proper address. In some cases, up-front payment is required for dental care prior to seeking reimbursement. The soldier should complete a Standard Form 1164 (SF 1164) and attach it to the itemized bill for reimbursement. This form is available on the TRICARE prime Remote and the MMSO web pages. The MMSO will ensure you are paid promptly and accurately.

(15) Family Member Dental Care - The dental benefit coverage in the TRICARE Prime Remote program is for active duty service members only. Soldiers may enroll family members for dental coverage by calling United Concordia, the TRICARE Family Member Dental Plan, at 1-800-866-8499, to obtain an enrollment application.

(16) Health Care While Traveling - AGR soldiers are covered for health care while on the road - whether TAD/TDY, on leave, or while en route to a new assignment. A military treatment facility (MTF) should be utilized if possible.

(a) When traveling, emergency and urgent health care needs are covered, but all routine medical and dental care should be (1) taken care of before departure, (2) delayed until the soldier returns and can see their PCM or (3) delayed until arrival to the new assignment.

(b) Rather than list here what constitutes emergency and urgent care, please use the definition provided in sub paragraph 6(a).

(c) For additional information or questions, soldiers should call their PCM, health care finder or SPOC (1-888-MHS-MMSO or 1-888-647-6676). In an emergency, help is available 24 hours a day, 7 days a week from both the health care finder and SPOC.

(17) Maintaining Medical Records - The commanding officer will provide instructions on where to keep medical records. When changing duty stations, soldiers should request a complete copy of current or important parts of their medical records from the PCM or provider 30 days before departure date.

(18) Filing Medical Claims - In most cases, the PCM or specialty care provider will submit the medical claim on the soldier's behalf. There may be

instances, however, which require the soldier to pay for the care and then file the claims to receive payment. In such cases, the soldier will receive full reimbursement for medical out-of-pocket expenses.

(a) To obtain reimbursement for a paid health care expense, send a completed DD Form 2642, Patient's Request for Medical Payment (CHAMPUS Claim Form) along with an itemized medical bill and evidence that the bill has been paid in full to the regional claims processor.

(b) Soldiers will receive an Explanation of Benefits (EOB) in the mail. The EOB is a computer-generated statement that explains how much was billed for medical care provided, what was paid to the soldier or to the provider (if the provider filed the claim), and the maximum reimbursement amount payable to the provider.

(c) Claim forms may be obtained in one of two ways: either call the beneficiary service number or print a form from the TRICARE web site at: www.tricare.osd.mil.

(19) Inquiries and Appeals

(a) Inquiries - Soldiers have the right to request additional information regarding the regional contractor's operation related to a claim or assessing health care by calling the regional contractor to obtain instructions for making inquiry.

(b) Appeals - In the event a request for specialty care is not approved, soldiers will receive notification of the decision. The contractor will explain the appeal process at that time. The soldier or provider may send additional written information or documentation to support the request for specialty care to the service point of contact (SPOC) to appeal the case.

[1] If the request is again denied on appeal, the soldier may make a final appeal to the Surgeon General or senior medical officer for AGR army personnel. Following a denial of the first appeal, the soldier will receive the address for the second appeal.

[2] The SPOCs for the Army are based at the Military Medical Support Office (MMSO) at the Great Lakes Naval Station, Illinois. The PCM or provider and the health care finder will coordinate specialty care with the SPOC as MMSO. Questions should be directed to the SPOC at 1-888-MHS-MMSO (1-888-647-6676). Written inquiries should be addressed to:

(Army/NGB) Point of Contact
Military Medical Support Office (MMSO)
PO Box 886999
Great Lakes, IL 60088-6999

(20) Access to Care Standards - The goal is that every AGR soldier receive health care services within the following time frames.

(a) Acute or urgent care within 24 hours of contacting the PCM or provider.

(b) Routine care within seven (7) days of contacting the PCM or provider.

(c) Wellness checks and preventive care within 30 days of the request.

(d) Referrals to a specialist within 30 days of the request by the PCM or provider (or sooner if directed by the PCM or provider).

(21) Costs - All AGR members pay a small daily fee for inpatient care delivered in a military treatment facility. Other than this small charge, active duty members will have no charges for authorized health care - whether outpatient or inpatient care. For civilian care, there will be no deductibles or cost-shares.

(22) AGR Member Responsibilities:

(a) Be enrolled in TRICARE Prime Remote when assigned to a remote region or empanelled at your closest MTF as a member of Tricare Prime Active.

(b) Ensure that important information about the soldier and family is regularly updated in the Defense Enrollment Eligibility Reporting System (DEERS)

(c) Use the PCM or provider for all routine health care.

(d) Seek medical care from a specialist only when referred by the PCM or regular provider and approved by the Health Care Finder.

(e) Get an annual dental exam to ensure dental health and readiness status. Submit dental claims to the Military Medical Support Office (MMSO) for processing.

(f) Call the TRICARE regional contractor after relocation to ensure enrollment and have a current address listed.

(g) Contact the regional beneficiary service representative when you have questions regarding the TRICARE Prime Remote program.

(23) Regions 9 and 10 (Southern and Northern California) - Phone numbers, addresses and contact locations:

(a) Phone Numbers - Beneficiary Information Line, Health Care Finder, and Claims Questions -1-800-611-6788. Health Care Information Line (HCIL): A 24-hour line staffed by registered nurses to call and ask about specific medical conditions or matters - 1-800-611-2883.

(b) Claims Filing Address - PGBA/TRICARE, PO Box 870006, Surfside Beach, SC 29587-8706

(c) Web Sites -

TRICARE Prime Remote: <http://www.tricare.osd.mil/remote/>

TRICARE Southern California (Region 9): [HTTP://www.reg9.med.navy.mil](http://www.reg9.med.navy.mil)

TRICARE Golden Gate (Region 10): [HTTP://63.192.217.117/region10/](http://63.192.217.117/region10/)

Foundation Health Federal Services: [HTTP://www.fhfs.com/home.asp](http://www.fhfs.com/home.asp)
(Southern California) (Northern California)
(877) 773-5450 (877) 773-5451

(d) Commanders and supervisors of AGR personnel should become thoroughly familiar with the provisions of the guidance cited above. Commanders and supervisors should insure that AGR personnel are informed of and understand their responsibilities pertaining to this guidance as well as the benefits to which they are entitled.

(e) AGR personnel using private insurance to cover costs of care may incur financial hardship. Private insurance carriers do NOT have to pay for care of active duty personnel and therefore may reverse original payments.

(f) Direct problems concerning medical care for AGR personnel to CAJS-HR- AGR. Give careful consideration to minimizing the expense of medical care and providing the AGR member with the best care available.

9-2. General medical requirements:

a. Before receiving treatment, the AGR member and their eligible family member(s) must enroll in the "Defense Enrollment Eligibility Reporting System (DEERS). Normally, the enrollment of the AGR member is automatic. To insure enrollment of the family member(s), send a copy of the Military ID card application (DD Form 1172) to CAJS-HR-AGR. Mark the DD Form 1172 "FOR DEERS ENROLLMENT". The AGR member must also be enrolled in Tricare Prime Remote, if eligible or empanelled at the nearest MTF (Ref to Paragraph 9-3)

b. Most AGR personnel require a physical every five years. Exceptions are soldiers under age 30, non-aviators. Soldiers must have a physical exam on the anniversary of their 30th birthday and every 5 years thereafter. Exceptions are aviation personnel who receive flight physicals on an annual basis. Forward completed to the MILPO, ATTN: CAMP-SIB for coding. Send a copy of the physical to CAJS-HR-AGR, ATTN: AGR Medical NCO.

c. AGR members age 40 or older are required to have a cardiovascular screening (Phase I) during their next periodic physical. The requirement for a Phase II (treadmill) or III (thallium stress test/catheterization) may exist. After receiving cardiovascular screening at other than an Army facility, the AGR member must forward copies of the complete physical to the State Surgeon for issuance of a DA Form 4970. The minimum information and documents required to complete the DA Form 4970 are the SF 2807 and 2808, an electrocardiogram (EKG) strip, a smoking history, a fasting blood sugar (glucose) test, and a cholesterol test.

d. TRICARE Prime Active AGR Medical and Dental Records are maintained at the nearest military treatment facility. Units may maintain a duplicate set of the entire medical records (including physicals) at the duty station when the nearest military treatment facility is a considerable distance from the AGR member's duty station.

e. AGR personnel may maintain their original health and dental records when they are remotely assigned.

f. AGR personnel may use government transportation in accordance with JTR Vol 1, Para M3050-2 and 4. Government transportation to or from medical facilities is directed when it is in the best interest of the government. Contact the AGR medical NCO for travel orders to Medical Treatment Facilities.

9-3. TRICARE Prime:

As stated in paragraph 9-1 (e), AGR soldiers who live and work within 50 miles of a MTF are entitled to TRICARE Prime. They must enroll in and use the MTF for their primary medical and dental care. The following guidance applies to soldiers in this category. Refer to 9-1 e(14) for information regarding the dental waiver.

a. Obtain Medical treatment at a Military Treatment Facility (MTF).

b. Most MTFs provide total treatment on site. In some circumstances, there is a referral of the AGR soldier to a private health care provider for specialty care if the service is not available at the MTF. In those cases, the service MTF is responsible for all costs associated with the provided care. It is imperative that all AGR soldiers follow the specialty care instructions as detailed. If an AGR soldier attempts to use a private care provider without authorization, the liability for the cost may be the

soldier's.

c. After receiving specialty care as the result of an MTF referral, and the soldier receives a bill at home for the cost of the care, take the bill to the health benefits advisor of the servicing MTF, which authorized the specialty care. The MTF will resolve the claim for the soldier. Contact CAJS-HR-AGR if difficulties continue in the process.

d. Soldiers enrolled in TRICARE Prime active will follow the instructions in 9-1 (f) 16 for health care when TDY, on leave, or while to a new assignment.

9-4. Military glasses: Military issue glasses authorized to the AGR member at government expense, from a military ophthalmic laboratory at the nearest active military installation.

a. Civilian style frames are now available at selected locations.

(1) The Frame of Choice (FOC) spectacle program provides soldiers with an alternative to current standard-issue military spectacles. Frame of Choice does not replace standard-issue frames, but soldiers may choose to have one pair of civilian-style frames along with one pair of standard-issue frames in fulfilling readiness requirement for two pairs of eyeglasses. This should give soldiers an added incentive to wear their glasses.

(2) The Army FOC program becoming available at all U.S. Army medical treatment facilities when equipment and trained personnel are available to implement the program. AGR soldiers will receive notification when this program is fully supported.

9-5. Prosthetic devices, hearing aids, and orthopedic appliances:

Replacement of or furnishing of prosthetic devices, hearing aids, and orthopedic appliances is in accordance with NGR 40-3. Contact the CAJS-HR-AGR Medical NCO for advice and assistance if an AGR soldier encounters difficulty procuring these items.

9-6. Profiles:

If an AGR member (due to disease or injury) is unable to perform assigned duties as required, the attending physician may issue a profile restricting the member's duties. Forward the completed profile to CAJS-HR-AGR.

a. In accordance with Chapter 3 AR 40-501, use DA Form 3349 to issue permanent profiles. All active component physicians have the authority to complete the DA Form 3349. If AGR members experience problems in obtaining the permanent profile issued on the DA Form 3349, contact CAJS-HR-AGR for assistance. A DA Form 689 (Individual Sick Slip) or another service's profiling form is for temporary profiles for a period up to 30 days. For temporary profiles exceeding 30 days cumulative, use of the DA Form 3349 is to be used. However, temporary profiles will not exceed 90 days at a time, or 12 cumulative months.

b. Complete profiles in accordance with AR 40-501 to be valid. Incomplete or improperly completed forms are not accepted, but returned to the member. Frequent errors on DA Form 3349 are:

(1) Item 5/6 - activities that member can perform are not annotated.

(2) Item 7 - "Physical fitness test" section does not agree with rest of form. AN ENTRY IS REQUIRED. Mark only one aerobic event (run, walk, swim, and bicycle). The "Functional Activities" must have appropriate

entries.

c. Permanent profiles with a numerical designator of two (2) in the PULHES require two signatures.

d. Permanent profiles with a numerical designator of three (3) or four (4) in the PULHES requires three signatures and a MOS Medical Review Board (MMRB). The "Action" limitations should pertain to duty responsibilities.

e. AGR members unable to perform assigned duties (including continuous profiles for one or more types of medical problems) are subject to medical evaluation. Commanders or full time supervisors may submit requests for medical evaluation to CAJS-HR-AGR, AGR branch as follows:

(1) The commander will submit a letter requesting fitness for duty evaluation and a Commander's Evaluation to the AGR branch. The Commander's Evaluation will specifically address both MOS and AGR assignment. Items 1-7 are factual and item 8 is the commander's personal opinion.

(2) The AGR branch will schedule the AGR member for a "fitness for duty" physical. It is the responsibility of the AGR member to provide documentation of medical problems to the examining physician.

(a) When the member is found "fit for duty" the member will receive a copy of the memorandum from the AGR branch to the Commander. This Memorandum will describe the recommended procedure to the command.

(b) A member found physically "unfit" will continue through the medical board processes.

f. The medical evaluation process may consist of the following boards with appeal processes:

MMRB - MOS Military Review Board

MEB - Medical Evaluation Board

PEB - Physical Evaluation Board

DA - Department of the Army Board

g. Medical evaluation may require an individual to attend a variety of examinations and board hearings. The member will have an opportunity to provide additional or updated information. During the final stages, legal counsel is provided the AGR member when requested.

h. If the initiation of disciplinary action is necessary or if disciplinary action is currently underway, it will be postponed until existing medical board action is complete.

I. Upon determination of pregnancy, the AGR member is responsible for informing the physician of exceptional training and duty responsibilities in order for the physician to properly evaluate and adjust the medical profile. Normally, a pregnant AGR member may continue to perform her duties until delivery, as long as the pregnancy is progressing satisfactorily. Quarters are not issued solely on the basis of pregnancy. Once a civilian or military physician confirms the pregnancy, a military physician will issue the Pregnancy Profile Statement. Ordinarily, physical profiles are specified as follows, although the treating physician may specify additional restrictions in individual cases as necessary:

(1) Under physical stamina, "T-3" is used.

- (2) List diagnosis as "pregnancy" and provide estimated date of delivery.
- (3) No physical fitness training.
- (4) No field duty after the 7th month of pregnancy or earlier if the military uniform no longer fits.
- (5) No standing at parade rest or attention longer than 15 minutes at a time.
- (6) No NBC, weapons, or water survival training.
- (7) May limit work shifts.
- (8) No field duty except where medical care is available.
- (9) No assignment to duties where nausea, fatigue, or light-headedness could pose a danger to the woman or to others. This is to include all aviation duty.
- (10) Exempt from immunization except for influenza and diphtheria tetanus.
- (11) After the 28th week of pregnancy, take 20-minute rest breaks every four hours, with duty not to exceed 40 hours per week.
- (12) Soldier is exempt from the weight control/PT program until ninety days after convalescent leave unless otherwise directed by a military physician.
- (13) Written clearance from civilian or military physician is required within seven days after convalescent leave is completed.

9-7. Substance abuse:

Substance abuse (alcohol and drugs) is not condoned and is not tolerated. Commanders and full time supervisors have the responsibility to routinely counsel all personnel regarding the hazards associated with substance abuse. This counseling should emphasize the fact that substance abuse will result in separation from the AGR program and the California Army National Guard. Commanders and full time supervisors are responsible for early identification of drug and alcohol abuse.

a. For AGR personnel identified as alcohol and drug abusers who, in the opinion of their commanders warrant retention, the Adjutant General may afford the opportunity for rehabilitation. For those members who do not warrant retention, separation from the military will proceed.

b. Identification of alcohol and drug abuse is accomplished through the following methods:

- (1) Voluntary (self) identification
- (2) Command identification
- (3) Biochemical identification
- (4) Medical identification
- (5) Investigation/apprehension

c. AGR personnel identified as possible alcohol or drug abusers will be

processed in accordance with NGR 600-5. Commanders and full time supervisors will ensure CAJS-HR-AGR is notified and contact is made with the Drug & Alcohol Coordinator (ADAP), OTAG, for further instructions. The ADAP Coordinator will notify the AGR member in writing.

CHAPTER 10

LINE OF DUTY/CASUALTY PROCEDURES

10-1. Line of duty (LOD) investigation (AR 600-8-1):

a. An informal LOD is completed for injuries that do not require follow-up care or will not result in future cost to the government. Forward the original LOD to CAJS-HR-AGR within 10 days of incident. Required documentation (original and one copy) for an informal (Administrative) LOD are:

- (1) CAL ARNG Form 2173 signed by unit commander.
- (2) Documentation of treatment.
- (3) AGR Tour Orders (during time of treatment).
- (4) Other records as requested by the AGR office.

b. Initiate a Formal LOD in accordance with AR 600-9-1 and 40-3 whenever incident:

- (1) Incurred not in line of duty.
- (2) Is the result of misconduct or willful negligence.
- (3) Results in death.
- (4) Is an injury incurred during unauthorized absence.
- (5) Is self-inflicted injuries or suicide.
- (6) Is incident to mental/psycho-neurotic/personality disorder.
- (7) Existed prior to service or aggravated by service.
- (8) May result in permanent disability.
- (9) Is a disease condition.
- (10) As directed.

c. The following documents will be completed (as applicable) (original and two copies) and forwarded to CAJS-HR-AGR (a copy of the Serious Incident Report will be sent to CAPO) within 30 days of incident:

(1) Orders appointing investigating officer. The investigating officer will be full-time (Technician or AGR).

(2) DD Form 261 signed by appointed investigating officer and appointing authority.

(3) CAL ARNG Provisional Form 2173 signed by unit commander.

(4) Injured soldier and witness statements.

(5) Medical treatment records (Emergency Room (ER) Report, Admission History & Physical Exam, Operation Summary, Discharge Summary, and others as requested).

(6) Health Records (including all prior physicals beginning with initial hire physical).

(7) All AGR Tour Orders.

(8) Accident/police report (if applicable).

(9) Rebuttal statement of member concerned (in the event of an adverse action).

(10) Itemized medical bills (Originals ONLY).

(11) Death certificate (if applicable).

d. All formal LODs submitted after the 10th and 30th day deadlines must contain memorandum stating specific reasons for late submission and actions taken to correct the problem.

10-2. Casualty procedures.

Procedures for processing a casualty for AGR personnel are different from the traditional Guardsman (M-Day). Therefore, the following procedures apply:

a. Due to the ever-changing requirements regarding casualties, CAJS-HR-AGR is the immediate point of contact for procedures when a death occurs. After receipt of pertinent information (CAJS-HR-AGR Form 80), CAJS-HR-AGR will contact the National Guard Bureau and coordinate with CAMP-MSB as required.

b. CAMP-MSB will appoint a Casualty Officer. Procedures for processing are outlined in DA Pam 608-33 and DA Pam 608-4. The appointed Casualty Officer should also become familiar with AR 600-8-1.

CHAPTER 11

DUTY HOURS/PERSONNEL ABSENCES

11-1. Duty hours:

Working (duty) hours for AGR personnel are established by commanders and full-time supervisors. Commanders and full-time supervisors have authority to direct AGR personnel to work beyond what is considered normal hours in the interest of mission accomplishment or readiness. Full-time supervisors will apply good management practices when it is necessary to require AGR to work longer hours than what is considered reasonable. In addition, the following guidelines apply:

a. The forty hour work week (5 days - 8 hours) is established as the norm or standard for all AGR personnel. Whenever possible, all units/offices must be "manned" Monday through Friday, 0800 to 1630. Saturdays and Sundays are normally non-workdays except for the IDT training weekend. Consider IDT, AT, and other ordered training periods as part of the normal workweek, not extra duty.

b. Compensatory time off for duties performed in excess of established duty hours is not authorized. AGR personnel, who earn the privilege, may be granted a pass in accordance with AR 630-5 and this chapter.

11-2. Additional working hours:

The commander or full time supervisor may impose additional working hours, or substitute equivalent work hours, as necessary to accomplish the unit readiness mission. Principles of good management must apply when assigning additional working hours and such a decisions must consider personnel health, welfare, and morale.

11-3. Holidays:

Federal holidays are normally non-duty days. Whenever AGR personnel are required to perform duty on a federal holiday, due to emergencies or unexpected mission requirements, they may be allowed a day off (pass) in lieu of the holiday. The pass in lieu of the holiday should be scheduled, as soon as possible, following the holiday. Observe the following public holidays, established by law, except when military operations prevent. When the holiday falls on Saturday, the proceeding Friday is taken as the holiday. When the holidays fall on Sunday, the succeeding Monday is taken as the holiday. Holidays are charged as leave if they fall on or within the effective dates of leave. Federal holidays are as follows:

New Year's Day, 1 January

Martin Luther King JR's Birthday, third Monday in January

President's Day, third Monday in February

Memorial Day, last Monday in May

Independence Day, 4 July

Labor Day, first Monday in September

Columbus Day, second Monday in October

Veteran's Day, 11 November

Thanksgiving Day, fourth Thursday in November

Christmas Day, 25 December

Other, when directed by proper authority under law

11-4. Jury Duty:

AGR personnel are expected to honor requests for jury duty except when absence from military duty would have a critical impact on the unit's mission. In those cases, the AGR member must request release by proper court authority.

a. AGR personnel who perform jury duty in a military duty status are not entitled to retain jury duty pay; however, they are entitled to retain payment associated with such duty in the form of travel expenses, etc.

b. Submit any payment received for jury duty, while in a military duty status, to the USPFO. The AGR member will use a personal check, made payable to the Finance and Accounting Officer. Attached to personal check will be a breakout listing, provided by the court, which identifies the amounts paid for duty, travel and other expenses paid the soldier.

c. AGR personnel in an approved, ordinary leave status, while performing jury duty, may retain all jury duty pay.

11-5. Participation in funerals:

The Funeral Honors Program covers the duty responsibility of AGR soldiers to participate in funerals.

11-6. Permissive TDY (Administrative absence)(AR 600-8-10):

Is a period of authorized absence, by which an AGR member is excused from the performance of official duties for personal reasons in a semi-official activity or function from which the Army or Army National Guard will derive some benefit. Use DA Form 31 to request permissive TDY.

a. Forward through leave approving authorities.

b. The uses of permissive TDY include:

(1) Attendance at meetings that have a direct relationship to the AGR member's profession.

(2) Meeting associated with a DOD Credit Union if a member of the administrative board.

(3) Participation and essential support of participants in competitive sports authorized by DA.

(4) Attendance in response to subpoena, summons, or request in lieu of process, in performance of state jury service or as a witness at a state criminal investigation involving public interest, such as a major crime. Any determination should be coordinated with the leave approving authority.

(5) Participation in other official or semi-official programs of the Army or Army National Guard for which TDY is not appropriate, which will enhance the AGR member's value to the Army and Army National Guard.

(6) Support of federally chartered national scouting organizations as an adult leader or supervisor on a continuing basis (up to 14 days).

(7) For purpose of house hunting, incident to PCS moves when government housing or quarters are not available (up to 10 days).

(8) Transition permissive TDY is to facilitate transition into civilian life for house and job-hunting for soldiers being involuntarily separated, retiring from active duty, voluntary early release or mandatory retirement date or mandatory separation at age 60.

(a) Permissive TDY is a non-chargeable absence and is optional for eligible soldiers.

(b) Permissive TDY is approved by the leave approving authority.

(c) Permissive TDY is an "authorization" not an "entitlement."

(d) Commanders may disapprove or restrict PTDY based on mission or operational requirements, for disciplinary reasons or if a valid purpose, as described in paragraph (8) above, does not exist.

(e) Commanders must ensure that soldiers have a need either to relocate or conduct job search activities during the requested dates of transition PTDY. If neither of these activities are necessary (i.e., soldier already has secured a job and soldier will continue to reside in the same residence with no prospect of moving), transition PTDY is not appropriate.

(f) Commanders have the authority to recall soldiers who have departed on PTDY. However, soldiers should be recalled only for reasons such as investigation, UCMJ, or when stop loss has been declared.

(g) The following soldiers "are not" eligible for any PTDY under any transition program: Soldiers voluntarily separating as a result of expiration of term of service or expiration of service agreement and soldiers transitioning from the active duty under dishonorable conditions.

(h) Permissive TDY may be granted in a series of trips prior to departing on transition (not to exceed 20 days total), as the entire PTDY period prior to departing on transition, or in conjunction with transition. Once the soldiers depart their duty station or station of choice, they may not take PTDY in increments.

b. Restrictions on permissive TDY (Para 12-5 AR 630-5):

(1) Attendance at spiritual retreats or other religious observances unless these meetings bear direct relationship to the member's profession.

(2) The purpose of taking licensing examinations in a professional field, except as authorized in other appropriate regulations.

(3) Participation in scouting activities beyond the scope of para 12-4a, AR 630-5 and this SOP.

(4) Purpose of attending to personal affairs, pursuing a hobby, representing a community organization, or interviewing or training for civilian employment.

(5) Purpose of conserving an AGR member's leave.

11-7. Leave Authority:

Commanders and full-time supervisors authorized to recommend approval of leave requests will establish and regulate schedules to provide for maximum use of earned leave consistent with operational and training requirements and the desires of the AGR member. Commanders/full-time supervisors shall provide all

AGR personnel the time to take leave. Commanders/full-time supervisors should grant leave only upon the request of the AGR member concerned, not normally forcing an AGR member to take leave. The AGR member's immediate full-time supervisor recommends approval/disapproval of leave. Final approval/disapproval authority is by:

- a. Senior full-time officer (OIC) at battalion, brigade, or SRCOM level for all military unit personnel, as applicable.
- b. Commander, Detachment 5 STARC, Recruiting and Retention Manager (RRM) for recruiting and retention personnel.
- c. Facility commanders for all aviation facilities.
- d. Activity supervisors for support maintenance and USPFO activities.
- e. Senior full-time officer/facility manager (OIC) at Camp Roberts.
- f. Division/Separate branch supervisors for all AGR personnel at the state headquarters.

11-8. Types of leave (chargeable):

The following types of leave are chargeable to the AGR member's leave account:

- a. Ordinary Leave - authorized absence from the place of duty for the purpose of providing the AGR member with a rest from the working environment or for other reasons.

(1) Commanders and full-time supervisors will establish an ordinary leave program for AGR personnel and will provide maximum opportunity for all personnel to take accrued leave, within the constraints of operations military requirements. Leave programs should provide a change of environment from normal work schedules and ensure maximum use of earned leave, minimize the loss of leave, and reduce, to the maximum practical extent, the costs of payments for unused accrued leave.

(2) Commanders and full-time supervisors will encourage all AGR personnel to use their entire 30 days accrued leave each year. Commanders/full-time supervisors will counsel AGR personnel who refuse to take leave when the opportunity is afforded them, regarding their obligations to execute military programs and policies, and that refusal to take leave may result in the loss of earned leave at a later date.

(3) AGR personnel will request permission to visit foreign countries in a leave status in accordance with CA ARNGR 630-1.

(4) The Congress has provided compensation for active duty soldiers who were not able to use their leave because of mission requirements. Requiring AGR personnel to use leave immediately prior to separation simply for the purpose of reducing leave balances is not authorized. On the other hand, use of the leave system as an extra money program defeats the intent of the Congress to provide for health and welfare of soldiers. See Chapter 7 for payment of accrued leave.

(5) Requests for leave which encompass two or more periods of absence (i.e. leave-pass-leave) during which the AGR member is not required to perform duty from the termination of one leave period to commencement of another leave period, is not authorized (AR 600-8-10, Chap 4, 4-1.c). Example: If an individual wishes to take leave starting on a Thursday and terminate that leave on Friday, the individual is not authorized to start another leave or pass on Monday. The member is required to take leave Thursday through Monday (including the weekend). There must be at least

one duty day separating two authorized absences. This policy applies to all types of chargeable leave, including transition leave.

(6) AGR members requiring time off for personal business (i.e., car repairs, ill dependent, banking, doctor/dentist appointments other than members, etc.) use ordinary leave.

b. Advance leave - leave granted prior to its actual accrual based on a reasonable expectation that the AGR member will earn the leave during the remaining period of active duty.

c. Emergency leave - leave granted for a personal or immediate family emergency requiring the service member's presence. The immediate family includes the following family members of either the soldier or the soldier's spouse:

- (1) Parents, including stepparents
- (2) Spouse
- (3) Children, including stepchildren
- (4) Sisters, including stepsisters
- (5) Brothers, including stepbrothers
- (6) Only living blood relative

(7) A person in loco parentis (Must sign a statement verifying loco parentis)

d. Leave awaiting disability separation - authorized absence from duty in excess of the maximum leave accrual, awaiting further orders and disposition in connection with disability separation proceedings under the provisions of AR 600-8-10

e. Transitional leave - authorized absence from duty prior to separation or retirement from AGR status.

11-9. Absences not chargeable as leave:

The following authorized absences are not chargeable as leave to an AGR member's leave account:

a. Sick in hospital - excused from duty for treatment while confined to a hospital facility. When an AGR member is hospitalized, the duty unit completes a DA Form 4187 and forwards it to CAJS-HR-AGR. The AGR member's duty status must be changed from "Present for Duty" to "Hospital" in order to stop rations payment (See Chapter 7). A separate DA Form 4187 is required, indicating a change from "Hospital" to "Present for Duty", "AWOL", "Incarceration", or whatever status the individual goes into, but submitted to CAJS-HR-AGR when the AGR member is released from the hospital.

b. Sick in quarters - excused from duty for treatment or medically directed self-treatment in home, barracks, or other non-hospital facility. Members must provide a statement from the attending physician, verifying the inclusive dates of such illness (AR 600-6). If the AGR member is placed in a sick-in-quarters status by a civilian physician/psychiatrist, the unit must notify the Patient Administration Division (Admission and Disposition Office) of the nearest U.S. Military Hospital for approval. See permissive temporary duty (Administrative Absence) for scope of approving authority.)

c. Convalescent leave - leave to assist in the restoration of health and

is considered a vital part of medical care and treatment. If properly used, it can expedite an individual's return to full duty.

(1) Civilian physicians may recommend or military physicians may approve convalescent leave for 30 days or less (42 days after normal pregnancy and child birth) prior to the soldier returning to a present for duty status. The Adjutant General may approve periods from 1-42 days upon recommendation of hospital commander or designated representative. Convalescent leave in excess of 42 days requires National Guard Bureau approval. Unit commander is the approving authority for a soldier returning to a present for duty status after illness of injury.

(2) AGR personnel may voluntarily return earlier (less than 42 days) with the attending physician's approval. Commanders or full-time supervisors may require the member to return to duty before completing 42 days convalescent IF:

(a) It is determined that the individual's absence will clearly have an adverse impact on readiness or operational mission of the unit, and

(b) An official military health authority determines that such action is medically acceptable.

(3) An AGR member who has taken 30 days (42 for pregnancy and child birth) convalescent leave and is medically unfit for duty, may request additional accrued, advanced, and/or excess leave as appropriate.

d. Excess leave - leave in excess of accrued and/or advance leave, granted without pay and allowance. Prior approval by CAJS-HR-AGR is required.

e. Pass - an authorized absence granted for short periods to provide respite from the working environment or for other specific reasons. Passes are not a right to which one is entitled, but a awarded privilege to deserving personnel by their supervisor. Supervisors are reminded that they should not grant a pass to an AGR member during a period that would conflict with unit training assemblies, annual training, or other unit functions that would require the AGR member's presence.

(1) Regular passes are granted to military personnel for those periods when they are not required to be physically present at their duty station for the performance of assigned duties. Normally, regular passes will be valid during specified off duty hours (i.e., weekends and holidays).

(2) Special passes may be granted for a period of three or four days, outside of regular pass periods, to deserving AGR personnel on special occasions or in special circumstances for the following reasons:

(a) As special recognition for exceptional performance of duty.

(b) To alleviate personal problems incident to military service.

(3) Special three day pass periods (normally 64 hours with a max of 72 hours) may include non-duty days, but must include at least one duty day and will commence at the end of normal duty hours on a given day and expire with the start of normal duty hours on the third day. (i.e., pass begins at the end of duty hours on Monday and ends at the beginning of duty hours on Friday - 62 hrs).

(4) Special four day pass periods (normally 88 hours with a max of 96 hours) will commence at the end of normal duty hours on a given day and

expire with the start of normal duty hours on the fourth day; however, must include at least two consecutive non duty days. (i.e., pass begins end of duty hours on Friday and ends at the beginning of duty hours on Tuesday -86 hrs).

(5) Successive use of passes is not authorized, nor will a special pass be granted in conjunction with leave or extended by combining with holidays or other off duty periods where the total will exceed the maximum limits of the pass periods.

(6) AGR soldiers are not normally required to carry a pass form while on pass. A valid ID card shall suffice to identify a service member on authorized absence not classified as leave. However, the unit should maintain a log for approved passes.

11-10. Failure to return:

When an AGR member fails to return from leave by 2400 hours of the last day of authorized leave (item 8b of DA form 31), he/she becomes absent without leave (AWOL), unless the unauthorized absence is excused as unavoidable by the full time supervisor. An unavoidable reason for failure to return from leave is when the absence was not caused by the member's own misconduct and he/she tried to avoid it. When the AGR member is AWOL for 24 hours, annotate the change in status from leave to unauthorized absence in item 30 of the original and organization copies of the DA form 31 and the remark "See attached DA Form 4187." The number two copy of the DA Form 4187 supporting the status change from leave to AWOL is stapled to the original copy of the DA Form 31 and forwarded to CAJS-HR-AGR. This will serve to report the duty status change that impacts on pay entitlement and update the suspense file for the positing of the leave account. When the AGR member returns to duty, complete a DA Form 4187 to show a change of status from AWOL for Present for Duty and forwarded to CAJS-HR-AGR.

11-11. Accrual and computation of leave.

Individuals on active duty are entitled to accrue leave with pay and allowances at the rate of 2 1/2 days for each month of active duty, excluding periods of AWOL, confinement, and excess leave. The total accumulation of accrued leave at the end of any fiscal year will not exceed 60 days. The following guidelines apply:

a. Regardless of the amount of leave authorized (period authorized on DA Form 31), leave use is based on the actual day of departure on leave and the actual day of return from leave subject to other provisions of this chapter.

b. The day of departure and the day of return from leave are not counted as day of leave if the member is at his or her place of duty for all or nearly all (at least three fourths) of the normal work day. Otherwise both the day of departure and the day of return are charged as leave taken.

c. All leave will begin and end in the local area (defined as the place of residence or home from which the member commutes to the duty station on a daily workday basis). Do not confuse the actual date of departure to mean that that day is charged as leave.

COMMENCEMENT OF LEAVE: EXAMPLE - AGR APPLIES FOR LEAVE FROM MONDAY TO FRIDAY

SITUATION 1: Member does not leave the local area over either weekend.

ACTION: Member is charged for four days of leave (Monday - Friday).

SITUATION 2: Member leaves the local area on Friday after the completion of the workday prior to the Monday leave is to begin.

ACTION: Member is charged for leave beginning on Saturday.

SITUATION 3: Member leaves the local area on Saturday (non-duty day)
prior to the Monday (duty day) leave is to begin.

ACTION: Member is charged for leave beginning on Saturday.

d. When a member who is on authorized leave is called back to duty prior to 72 hours from the date in item 8a, the period of absence, no leave is charged.

e. Periods which exceed the original leave period are considered "leave" only if requested and approved prior to the end of the original leave period. The leave authority completes the leave extension blocks on the original DA Form 31, provided the member has enough accrued leave or the supervisor grants advance leave.

11-12. Procedures for request and authority for leave (DA Form 31):

a. Part 1, DA Form 31 is both a request for leave and, when approved, the document authorizing leave. Forward the DA Form 31 (Original ONLY) to CAJS-US-MP AGR Pay Manager Box #125 or CAJS-US-MP AGR Pay Manager, P.O. Box 8104, San Luis Obispo, CA. 93403-8104 within five (5) days of completion of leave period.

b. An approved DA Form 31 is valid only for the type of leave requested in item 7 and only for the inclusive dates shown in item 10 of the form. Delayed departure on leave is authorized beyond the date shown in item 10a. If this occurs, the individual is charged only for the leave actually taken. Should the individual requesting leave desire a date of departure be changed to a date earlier than the approved date in item 10a, or date of return later than the approved date in item 10b, a new DA Form 31 is required. (Void the old DA Form 31). Forward the new DA Form 31 to CAJS-US-MP AGR Pay Manager Box # 125 or CAJS-US-MP AGR Pay Manager P.O. Box 8104 San Luis Obispo, CA. 93403-8104 upon completion of leave period.

c. All AGR personnel are responsible for verifying their current leave balance each month on the Leave and Earning Statement (LES). Approved absences that involve periods of excess leave require suspension of pay and allowances during such periods. If, for any reason, pay and allowances were not withheld during such periods, an overpayment to the AGR soldier occurred. A recoupment of pay is started to settle indebtedness to the United States because of this erroneous payment. Commanders and full time supervisors are cautioned that leave taken in the preceding month is usually not reflected on the current LES.

d. After the appropriate entries have been made on the original and organization copies of the DA Form 31, the unit will forward the completed original copy of the DA Form 31 to CAJS-US-MP AGR Pay Manager Box #125, or CAJS-US-MP AGR Pay Manager P.O. Box 8104, San Luis Obispo, CA. 93403-8104, NLT five (5) days after leave has terminated.

e. Organization copies are retained by the organization for a period of six months to support control log entries, strength accounting, etc. and then destroyed.

11-13. Leave Control Log (DA Form 4179-R):

Each organization responsible for approving leave will maintain a Leave Control Log on all approved DA Form 31s. Each DA Form 31 approved for leave is assigned an organization internal control number starting with "1" at the beginning of each calendar year. The internal control number (unit log

number) is placed at the upper left-hand corner of the DA Form 31. The internal control number is entered on the organization's DA Form 4179-R. Completed DA Form 31 attached to DA Form 4179-R are forwarded to CAJS-US-MP AGR Pay Manager Box #125 or CAJS-US-MP AGR Pay Manager P.O. Box 8104, San Luis Obispo, CA. 93403-8104 for pay accountability on DA Form 200. Copy of the leave control log is maintained by the organization for 12 months and then destroyed.

11-14. Time accounting:

Initiate and maintain an individual time and attendance record for each AGR soldier utilizing the leave and attendance log. The full time supervisor or his/her designated representative will record time, attendance and leave balance.

11-15. Family Medical Leave Act:

AGR soldiers are not authorized non-charged leave based on the Family Medical Leave Act.

CHAPTER 12

STANDARDS OF CONDUCT

12-1. Policy:

All AGR personnel are expected to maintain standards of conduct regardless of assignment. They must also avoid conflicts or the appearance of conflicts between private interests and official military duties.

12-2. Requirements:

All AGR personnel are required to review **DOD Joint Ethics Regulations (JER)** and receive related briefing not later than 15 days after initial entry into the AGR program, and semiannually thereafter. Accomplish semiannual briefings through printed notice, memo, similar publications, oral briefing or review of Chapters 1-4, AR 600-50. Commanders/supervisors will ensure that AGR personnel briefed sign a statement, "I have received the initial/semiannual Code of Conduct briefing, reviewed the Joint Ethics Regulation, and understand my responsibilities." A copy of the statement is filed in the individual's drop file maintained at the unit.

12-3. Financial and employment disclosure (JER, Ch 7):

AGR personnel who have questions in this area should contact the Designated Agency Ethics Official (DAEO), usually the AGR Judge Advocate. Generally, this disclosure applies to military personnel below the rank of O7, when official responsibilities require them to exercise judgment in making a government decision or in taking government action in regard to contracting or procurement, regulating or auditing private or other non-federal enterprise or other activities in which the final decision or action may have an economic impact on the interest of any non-federal entity. Personnel who are required to report are notified by the DAEO.

12-4. Political activity:

Rules governing political activities of service members are found in the JER in Chapter 6. This directive supersedes all individual service regulations whenever discrepancies between the DOD directive and service regulations occur. The following guidelines regarding political activities are published for the information of all AGR personnel.

a. In general, a member on AGR status may not:

(1) contribute money to the campaigns of presidential nominees or other partisan political candidates.

(2) use his/her official authority or influence to interfere with elections by affecting their outcome, soliciting votes for a particular candidate or issue or requiring or soliciting political contributions from others.

(3) be a candidate for or hold civil office.

(4) Seek, while on AGR, a civil office to be held upon termination of his/her AGR tour.

(5) make disparaging remarks about the Commander in Chief.

b. A member in AGR status may:

(1) register, vote, and express his/her personal opinion on political candidates and issues, but not as a representative of the Armed Forces.

(2) register and vote while in uniform.

(3) make monetary contributions to political organizations such as state or national political parties.

(4) attend partisan and non-partisan meetings or rallies as a spectator not in uniform.

(5) encourage others to vote, but not for a particular candidate.

(6) join a political club and attend meetings in civilian attire.

(7) serve in local part time, non-partisan civil office with permission of the Secretary of the Army or his/her designee.

(8) sign a petition for legislation or to place the name of the candidate on a ballot, but not as a member of the Armed Forces and as long as it does not obligate the member to partisan political activity.

(9) express views to news reporters while off duty, not in uniform and not as a member of the Armed Forces.

(10) write personal letters (not for publication) expressing preferences for a specific political candidate or cause, as long as it is not part of a letter writing campaign on behalf of the candidate or cause.

(11) always exercise good judgment.

12-5. Off-duty employment:

a. AGR personnel may not work part-time in civilian employment, nor may they engage in business or work for profit that interferes or is in conflict with the performance of their military duties. Furthermore, AGR personnel may not work in a job that would bring discredit upon the United States military or the California National Guard. Finally, AGR personnel may not work in employment that would reasonably be expected to create a conflict of interest with their military occupation.

b. While there is no prohibition relating to the off-duty employment of AGR personnel, such part time employment must not interfere with the active duty mission. AGR personnel will be expected to perform their military duties whether during duty hours or after duty hours. Additionally, AGR personnel must not let their outside employment inhibit their ability to satisfactorily perform their military mission by coming to work physically or mentally fatigued. All AGR personnel will report to work ready, willing and able to perform their assigned duties.

b. All AGR personnel who perform part-time employment must ensure that such work is done during non-duty hours. The uses of military time, computers, or material for the purpose of an AGR member conducting their part-time job are strictly prohibited.

c. It is important that military commanders be aware of those AGR personnel who are working at second jobs. AGR members who wish to obtain part-time employment must notify their commanders, in writing, and must obtain approval from the respective Colonel command level before performing outside employment.

12-6. Personal use of CA ARNG computers and telephones:

Members are prohibited from unofficial or unauthorized use of government computer, telephones and e-mail. Specific examples of unauthorized use of systems are as follows:

- a. Sending inappropriate E-mail messages to groups or individuals
- b. Participating in "chat rooms" or open forum discussions unless for official purposes
- c. Playing computer games on government time
- d. Personal telephone calls made on government time that could reasonably have been made during lunch break or off duty hours
- e. Toll or long distance personal telephone calls charged to the California National Guard

12-7. Abuse of sick days:

AGR soldiers have unlimited sick days which are not charged as leave, therefore it would be easy for a soldier to be "sick" thirty or more days during the year. This will be considered "fraud, waste or abuse" unless the soldier is actually sick. It is the responsibility of each soldier to control sick day use, and full-time supervisors to monitor "sick day" absences. It is suggested that AO/full-time supervisors establish a policy on the number of sick days a soldier may take without seeking medical treatment and counsel their soldiers concerning "sick day" abuse (requiring them to seek medical treatment if "sick day" use becomes excessive).

CHAPTER 13

MILITARY DISCIPLINE

13-1. Policy:

California Army National Guard personnel serving under the authority of Title 32, USC, 502(f) are subject to the provisions of the California Military and Veterans Code (CMVC). The CMVC incorporates and makes applicable the Uniform Code of Military Justice (UCMJ), the Manual for Courts Martial, United States 1969 (MCM). Additionally, AGR personnel are subject to the Federal UCMJ and MCM when in the Title 10 status of TDY.

13-2. Courts Martial:

California National Guard courts martial are State Military Courts for the trial of offenses under the California Military and Veterans Code. Provisions for non-judicial punishment do not limit administrative actions, which a commanding officer is authorized and expected to exercise to maintain good order and discipline. The most basic concept in our system of military justice is the fundamental principle that an individual is innocent until proven guilty. This concept applies to non-judicial punishment as well as a court martial, and the commander exercising such authority is obligated to treat fairly and equally all members of his/her command in evaluating evidence and imposing punishment.

13-3. Discipline/adverse actions:

Only commanders may impose non-judicial punishment or convene courts-martial. The Commander/Supervisor may initiate the following discipline and adverse action procedures to effectively resolve situations of misconduct and other improper conduct:

a. Administrative:

ACTION

DOCUMENTATION REQUIRED

Counseling, Oral

Counseling, Written Filed in MPRJ in accordance with AR 600-37; copy to CAJS-HR-AGR. (DA Form 4856)

Reprimand, Written Filed in MPRJ in accordance with AR 600-37; copy to CAJS-HR-AGR.

Recommend Involuntary separation as specified in Chapter 6 of this Separation for Cause from AGR tour.

b. Non-judicial/Judicial: Specified in OTAG "Manual for Courts Martial & Non-Judicial Punishment, California National Guard", copy to CAJS-HR-AGR.

c. When situations of misconduct or other improper conduct come to the attention of the commander/supervisor, it is their responsibility to exercise responsible judgment in order to ensure that the procedure and penalty selected are appropriate. Consider the following factors in selecting an appropriate procedure:

(1) The nature and seriousness of the misconduct or other improper conduct and its relation to the AGR member's duty, position and responsibilities, including whether the misconduct or other improper conduct was intentional or inadvertent, or was committed maliciously for gain, or was frequently repeated.

(2) The AGR member's job level and type of employment, including supervisory or fiduciary role, contacts with the public, and prominence of the position.

(3) The AGR member's past duty record, including length of service, performance on the job, commendations, and prior disciplinary actions.

(4) The effect of the misconduct upon the AGR member's ability to perform at an acceptable level and its effect upon the supervisor's confidence in the individual's ability to perform assigned duties.

(5) Consistency of the proposed action with actions imposed upon other members for the same or similar misconduct.

(6) The clarity with which the rule(s) violated in committing the misconduct were explained to the AGR member, or a warning about the conduct in question.

(7) The notoriety of the misconduct or its impact upon the reputation of the National Guard.

(8) Potential for the AGR member's rehabilitation, understanding of the misconduct, remorse and willingness for rehabilitation.

(9) Mitigating circumstances surrounding the misconduct such as unusual job tensions, personal problems, harassment or bad faith, malice, or provocation on the part of others involved in the matters.

(10) Alternative actions that would effectively deter such conduct in the future by the AGR member or others.

d. In addition to the above, consider the following prior to recommending removal from the AGR program:

(1) The seriousness of the events or conditions that form the basis for initiating separation proceedings. Also, consider the effects of the AGR member's continued retention on military discipline, good order and morale.

(2) The likelihood that the event will occur again or that the conditions will continue.

(3) Whether the actions of the AGR member resulted, or are likely to result, in an adverse impact on accomplishment of unit missions.

(4) The AGR member's ability to perform full time support duties in a reasonable manner.

(5) The AGR member's potential for further service.

(6) Possibility of reassigning the AGR member.

e. An oral counseling is the least severe disciplinary measure. It is a method by which a supervisor can discipline by discussing a problem or offense with the AGR member. During this discussion, an AGR member should be given an opportunity to explain his/her actions and to offer facts in mitigation or justification. Advise the AGR member, very specifically, that if the misconduct is repeated, more severe discipline will be imposed.

f. Written counseling statements are official written actions taken by supervisors/commanders for the purpose of correcting an AGR member's conduct, attitude, work habits or other factors that have an adverse effect on employment. Written counseling statements are given to maintain efficiency, discipline and morale of the AGR workforce. When warranted, prompt and

judicious administration of such action is a must.

g. Issue a letter of reprimand when a problem or offense is of such a nature that an oral admonishment or written counseling would not convey the seriousness of the situation. Use a letter of reprimand when oral admonishment or counseling has proven ineffective. Before disciplining an AGR member in this matter, a supervisor/commander will gather all available facts and discuss them with the AGR member informing him/her of the reason for the investigation. The discussion may not be necessary if the supervisor/commander has gathered sufficient and pertinent facts to evaluate and render a decision. After considering the AGR member's response, the supervisor/commander will advise the member if their discussion resolved the matter. Listed below are general guidelines for letters of reprimand not filed in the MPRJ/OMPF. File letter of reprimand in the MPRJ/OPMF, in accordance with paragraph 3-4, AR 600-37.

(1) Contain a statement that it is imposed as an administrative measure and not as punishment under military law.

(2) Describe the offense in sufficient detail to enable the AGR member to understand why the reprimand/admonition is being given.

(3) Include a statement that the letter of admonition or reprimand will remain on file as a temporary document in his/her personnel file not less than one year, or until the next extension, whichever is a greater period of time.

(4) If related to a continuing problem, include a summary of former incidents, the action taken by management to correct the situations, and how the AGR member reacted to these actions.

(5) Provide information on what the AGR member should do to correct the situation.

(6) Include a warning that any future similar occurrence will result in considering a more severe disciplinary measure.

CHAPTER 14

ENTITLEMENTS AND BENEFITS

14-1. General:

In addition to the benefits received as a National Guardsman, AGR personnel and family members are entitled to any benefit provided by law to personnel on federal active duty and family members, as follows:

- a. Unlimited Exchange and Commissary Privileges
- b. Space available travel within CONUS, to include Hawaii, Alaska, and Puerto Rico and OCONUS (outside continental US). Family members are entitled to Space Available Travel ONLY OCONUS (within CONUS only in conjunction with an OCONUS flight) when available and must travel with member.
- c. Officer/NCO Clubs
- d. Military Honors (Funeral)
- e. Military recreation facilities (MWR)
- f. Emergency Relief - ARMY/NAVY
- g. Base/post theater

14-2. Legal assistance:

AGR personnel and their families are entitled to receive legal assistance at any Armed Forces legal assistance office (staff Judge Advocate Office). Services are provided in areas such as: Marriage/separation/divorce, adoptions, bankruptcy, consumer affairs, debt/credit problems, tax matters, landlord-tenant problems, home purchase, wills and civil litigation. The Staff Judge Advocate (SJA) will:

- a. Answer operational legal questions when the AGR member needs an interpretation of a regulation.
- b. Assist in service connected legal needs, (i.e., adverse personnel actions, rebuttals to reports of survey, and military justice actions).
- c. When an AGR member has difficulties in contacting a military attorney, use the chain of command to seek assistance. The AGR member may contact a Judge Advocate Legal Assistance Office at the nearest military installation.

14-3. Educational benefits:

In addition to education benefits available to National Guardsmen in accordance with AR 135-7 and VA Pam 22-90-3, the following sources of funding for education are available to AGR personnel:

- a. Montgomery GI Bill chapter 30 - AGR personnel who first entered on active duty since 1 November 1989 are eligible to enroll. Upon initial entry on AGR status, the AGR member must complete the DD Form 2366 (Annex 13 - A) indicating enrollment. Specifics are covered in AR 135-7, chapter 10.
- b. Tuition Assistance (TA) (AR 621-5) is authorized for AGR personnel to help defray the cost of continuing education. Interested personnel need to contact the education programs tuition assistance office. The POC at Ft. Lewis is I Corps, ATTN: AFZH-PAE box 33950, Fort Lewis, WA 98433-9500, phone number (253) 967-3365 if you live in the following countries:

Alpine	Amador	Butte	Contra Costa	Colusa
Del Norte	El Dorado	Glenn	Humbolt	Lake
Lassen	Mendocino	Modoc	Marin	Napa
Nevada	Placer	Plumas	Sacramento	San Francisco
Shasta	Sierra	Siskiyou	San Joaquin	Solano
Sonoma	Sutter	Tehama	Trinity	Yolo
Yuba				

Soldiers living in counties not listed above must contact Fort Irwin tuition assistance office at (760) 380-6153.

14-4. Housing policy for AGR personnel:

AGR personnel ordered to full time National Guard duty for 160 days or more may be entitled to government quarters, if available. The following housing assignment policies apply:

a. AGR personnel, with accompanying family members, serving on active duty under the provisions of Title 32 USC, are eligible for assignment to government quarters after all military personnel, active component and Title 10 USC assigned/attached to the installation are assigned.

b. AGR personnel interested in base housing should contact the nearest active military installation Housing Office.

c. AGR personnel who are assigned quarters are not entitled to Basic Allowance for Housing (BAH).

d. AGR personnel not residing in government quarters are authorized BAH based on their duty location ZIP code.

CHAPTER 15

TRAVEL

15-1. General:

Policies and procedures in this chapter apply to AGR personnel when travel is in support of the following:

(1) Accomplishment of official missions and programs of the California Army National Guard.

(2) Travel for requirements such as physical examinations, medical treatment, pre-retirement counseling, retirement out-processing and special orientations or other personnel actions directed by the chain of command.

(3) Travel to attend an approved course of instruction at the National Guard Professional Education Center (NGPEC) or other official military schools.

15-2. Policies:

The provisions of Volume 1 of the Joint Federal Travel Regulation (JFTR) and CAL ARNG Regulation 37-5 govern all per diem allowances. All AGR personnel who perform official travel are authorized travel and per diem with the following guidelines and funding limitations:

a. Any time an AGR member travels outside his/her permanent duty station or outside commuting distance, the member should be on a travel order. Per Diem is authorized for travel exceeding 12 hours in duration.

b. Use Government quarters and mess when available.

c. During annual training, in a field environment or when meals are available, meals are not reimbursable to AGR personnel.

d. Requests for orders (RFO) for AGR travel are submitted in AFCOS for down load and printing at the unit level.

e. Claims for reimbursement for authorized per diem and travel allowances must be submitted on DD 1351-2 within five working days of completion of TDY.

(1) Payments for travel will take approximately 4 weeks for processing depending upon workloads.

(2) Payment is made to a direct deposit account or directly to the government travel card.

15-3. AGR travel for separation, retirement, or medical treatment:

- a. Forward RFO for all travel in conjunction with release from AGR status through CAJS-HR-AGR separation and retirement section.
- b. The AGR branch medical section is the only approving authority for AGR personnel traveling for medical reasons.

CHAPTER 16

MISCELLANEOUS

16-1. Military Personnel Records Jacket (MPRJ):

The MPRJ for ARNG AGR personnel is maintained by the personnel records center (CAMP-EPM). It is the AGR member's responsibility to ensure the MPRJ is updated as required.

16-2. AGR personnel file:

The AGR personnel file is an internal file maintained by CAJS-HR-AGR. The official record is the MPRJ maintained by CAMP-EPM. Documents maintained in the AGR personnel file include: Copies of AGR tour orders, tour continuation board notification, and miscellaneous memorandums/waivers pertaining to AGR status. A copy of the DD Form 214 and supporting separation documents are maintained in CAJS-HR-AGR for two years.

16-3. NGB Form 23B (retirement credit summary - RPAS):

The NGB Form 23B is maintained by OTAG, SIDPERS. A copy of the RPAS is obtained by CAJS-HR-AGR to determine the basic active duty service date (BASD) for retirement data. NOTE: The BASD, indicated on the NGB Form 23B, is computed based upon points. When an AGR member applies for active duty (20 year) retirement, the active duty time is based upon a 30-day month.

16-4. SIDPERS:

When initial tour orders are issued for AGR personnel, SIDPERS takes the necessary action to change the guard status code to remove the AGR member from a pay status in JUMPS-RC. The DA Form 1379 then reflects the code "C" in column "G". Units continue to make necessary changes to SIDPERS on AGR personnel.

Upon separation from AGR status, SIDPERS takes the necessary action to change the guard status code to reinstate the member into the appropriate pay status in JUMPS-RC.

16-5. Privacy act:

Members of the AGR program are protected under the Privacy Act. This means no release of information considered private (SSN, home address, home telephone number etc.) to any private company, individual or government agency that does not have a need to know with out written permission by the AGR Soldier. Government agencies with a need and right to know will be given full cooperation.

16-6. Rights of individual:

All military personnel have the right to register complaints orally or in writing with the Inspector General. All complaints will be acknowledge and action taken to protect the interests of the individual(s) concerned and/or the government. Individuals are first encouraged to discuss their problems or grievances with their command/supervisor. However, persons who have a complaint they do not wish to discuss with their commander/supervisor will be permitted direct contact with the Inspector General. Complaints may be registered with the Inspector General as follows:

Office of The Adjutant General
State of California
ATTN: Inspector General
P.O. Box 269101
Sacramento, CA 95826-9101

16-7. Awards and Decorations:

AR 672-5-1 and CAL ARNG 672-2 prescribe the wear of United States and foreign decorations, awards and unit citations. State decorations, medals and badges are authorized as part of the prescribed uniform for Title 32 National Guard members. AGR duty is considered to be Active Federal Service for the purposes of awards and decorations. Enlisted AGR soldiers are entitled to the Army Good Conduct Medal for AGR service; however they are not entitled to the California Good Conduct medal during the same periods of service.

16-8. Equal opportunity:

The management of AGR members will be free of discrimination based on race, color, religion, sex, national origin, political affiliation, employment status or non-disqualifying age. The objective of equal opportunity is to insure the fair treatment of all soldiers based on merit, fitness, capability, and potential which supports readiness.

CHAPTER 17

Weapons of Mass Destruction - Civil Support Teams (WMD-CSTs)

17-1 General:

Civil Support Teams (CSTs) are a unique organizational element in the National Guard. Recently sanctioned by Congress, they are active service units consisting of teams of 22 full-time AGR soldiers/airmen with a non-traditional primary mission. This mission is the deployment to an actual or suspected terrorist event to support civilian authorities. After approximately 2,000 hours of civilian and military training, the Secretary of Defense certifies them. The team is required to be operational and available for deployment on an expedited timeline, 24 hours a day, 7 days a week, in support of civilian authorities. Because of their non-traditional structure, their special training requirements, and their unique operational considerations, CST procedures are as follows:

17-2 AGR tour requirements:

- a. Initial CST tours are four years.
- b. For soldiers and airmen appointed under the provisions of the three-year assignment, extension is automatic unless the team member requests an exception in writing within 60 days of notification of this provision by the unit commander.
- c. For enlisted personnel, service extensions must be completed to reflect their respective projected AGR tour end dates if necessary.

17-3 Hiring:

- a. CSTs are authorized to announce and hire projected vacancies up to one year in advance if funds are available.
 1. We will issue AGR orders to individuals selected for CST assignment up to 180 days before the projected vacancy.
 2. CST commanders are authorized to place individuals selected for CST assignment on ADSW, SAD, or other appropriate orders, as needed, when funds for such duty are available.
- b. Commanders may request team members to decide if they will seek a tour extension 14 months before their projected tour end date. Such requests will be made in writing, and team members will have 60 days to provide a written response. Commanders must have this response from the team member before commencing hiring. Failure to respond may constitute grounds for a command determination that the team member has chosen not to extend, and allow for announcing a projected vacancy for hiring purposes.
- c. Tour extensions on the CST will be for a minimum of one year and require the CST Commander's recommendation to the AGR Branch.
- d. All CST selection boards will consist of at least one current CST member. For subordinate team positions, unit commanders are designated as selecting supervisors.
- e. Waiver of the 30 day AGR hiring rule down to a minimum of 15 days is authorized. CST members may be hired on an expedited timeline if an approved

AGR Chapter 2 physical has been completed and received by AGR Branch. If HIV, drug screening, and pregnancy test results are not received, hiring is authorized, but orders will be revoked if a positive test result is indicated.

f. CSTs are authorized to send administrative or support personnel to AGR branch to assist with CST hiring and other duties as appropriate. Such personnel will work under supervision of AGR branch personnel while accomplishing these specified duties. Applicable memorandums of Agreement (MOAs) will provide further guidelines for this support.

17-4 Promotions.

a. When a funded AGR position within the unit becomes vacant, first consideration is to current CST members seeking a promotable position. Due to the extensive civilian and military training required of CST members, and the lack of other AGR soldiers/airmen with these specialized qualifications, this policy expedites readiness of the CST. If transferring into a non-MOSQ position member must have qualifying ASVAB/AFCT score. Acceptance of this new position requires a new four-year tour commitment from soldier/airman. Enlisted soldiers must be on the current EPS listing before movement into a higher position.

b. When required, vacancy announcements will be forwarded through channels via e-mail to CAJS-HR-AGR. Positions are announced as "open until filled." Positions are advertised for a minimum of thirty calendar days.

c. Enlisted personnel (E-6 and above) shall maintain current grade upon initial entry when such entry is based on continuation of an active service tour. In accordance with current AGR requirements, all ranks must be MOS qualified within 12 months of assignment.

d. If the selected team members have completed NCOES and meet all promotion requirements (on current EPS, MOSQ, APFT, 600-9 etc.), the promotion date and effective date of transfer will be the same (except for control grade requirements) and the unit will submit the request for promotion.

17-5 Transfers:

a. CST members will complete their entire initial tour on the hiring team.

b. In exceptional circumstances, CST members on their initial tour may transfer to the other California CST. Such a transfer will require the concurrence of both unit commanders and AGR branch.

c. At the conclusion of their initial tour, CST members may, based on availability, apply for other AGR positions, or request a transfer as appropriate.

17-7 Control grades:

a. Enlisted personnel: The CST is identified as one of the units where an E-8 enlisted control grade will be assigned. Therefore, when the team member in the E-8 position is eligible for promotion and recommended by organizational leadership, he will receive an EPS control grade sequence number and placed on the control grade roster. The AGR section will publish promotion orders as the control grade becomes available.

b. Officer personnel: Currently, CSTs have three officer control grade positions: commander, deputy commander, and physician's assistant. Officer control grades are determined by the Adjutant General based on the recommendations of the Personnel and Executive Councils.

17-8 Physical training:

- a. CSTs are active units and are authorized to conduct vigorous physical training as part of their duty in accordance with AR 350-41.
- b. The CSTs physical training programs are structured to suit their unique requirements, structure and mission, and to enhance readiness, survivability and retention of their members.

17-9 Participation in community service activities:

- a. CST members may participate in volunteer community or public service activities that enhance their training and promote unit readiness such as volunteer medical, fire, hazardous materials or other service upon approval by the unit commander.
- b. Such activities will not conflict with CST training or mission. Volunteer service with a public or private service agency will not be considered additional work or employment for these purposes.
- c. Volunteer service will not occur during normal CST duty hours. Personal leave may be used for this purpose.

17-10 Officer commissioning:

- a. Upon approval by the unit commander, team members who possess the qualifications for an active or state OCS program or direct commissioning may be considered for future officer positions within the teams. Upon graduation from the program, the AGR member may accept the commission if selected for an assignment to an officer AGR position or may accept a certificate of eligibility and continue their current CST AGR tour as enlisted until an assignment to an officer AGR position on the team is available. In such a case, AGR branch will not announce the position.
- b. Personnel promoted to a higher enlisted grade to attend OCS will be immediately reduced to the grade from which promoted when they cease to participate in the OCS program.

17-11 Duty hours:

- a. CSTs deploy to emergencies on a 24/7 basis. Unit commanders may modify the traditional AGR duty days/hours as necessary to adjust for training and operational contingencies.
- b. Staff duty and 24/7 operational staffing at home station location are authorized.

17-12 Performance boards:

- a. End of Tour: Unit commanders will conduct an end of tour internal performance board on all subordinate team members at the end of their CST tour. The CST will forward results to AGR branch with a recommendation for retention on the CST, retention in AGR program, or non-retention in AGR program. Members on their initial AGR tour must also comply with the initial tour requirements of paragraph 6-2a of this SOP.

b. Academic: In the event of academic failure in a training course or repeated substandard academic performance in training courses or activities, unit commanders may conduct an internal performance board. Results of the board with same recommendations as (a) above may be sent to AGR branch. At the option of the unit commander, recommendations may be deferred pending an opportunity for the team member to clear the academic deficiency.

17-13 Security clearance:

a. Team members will submit for the appropriate security clearance upon accession onto the team.

b. Failure to obtain the required clearance is grounds for termination or other disciplinary action.

c. Hiring is contingent on security clearance screening interview. Previous denial of security clearance or reasonable cause to believe that the individual cannot obtain a clearance is grounds to deny hiring or accession onto a CST. Such a denial will be documented in writing.

Definition of Terms

Active Guard Reserve

Full-time National Guard duty performed by a member of the National Guard, pursuant to an order to active duty or full-time National Guard duty for a period of 180 consecutive days or more for the purpose of organizing, administering, recruiting, instructing or training the reserve components (10 USC 101 (d)(5)).

Active Service

Service on active duty or full-time National Guard Duty, also referred to as Active Federal Service.

AGR Family Member

For the purposes of this regulation, a family member is defined as: A family relationship to an AGR soldier, including father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister.

AGR Continuation Board

A board of officers and NCOs appointed and convened by the Adjutant General to make findings regarding and to recommend continuation on or release from FTNGD.

Applicant

An individual who applies for an order to full-time National Guard duty in the Active Guard Reserve Program.

Career Management

A program for AGR soldiers that provides for assignments to progressively more responsible positions.

Career AGR Soldier

A soldier serving on FTNGD in the AGR program who has successfully completed the initial 3-year period of service.

Convening Authority

The releasing authority. For the purposes of this regulation, the releasing authority for ARNGUS soldiers on FTNGD in the AGR program is the Adjutant General of a state, territory or commonwealth.

Full-time National Guard Duty (FTNGD)

Training or other duty, except inactive duty training, performed by a member of the Army National Guard of the United States or the Air National Guard of the United States as a member of the National Guard of a state, territory or commonwealth, or the District of Columbia under sections 316, 502, 503 or 505 of title 32, United States Code, with or without pay.

Full-time Support (FTS) Program

Personnel assigned on a full-time basis for the purpose of organizing, administering, recruiting, instructing or training the Army National Guard of the United States and the U.S. Army Reserve. These personnel include civilian personnel, members of the Active Army and personnel serving on Active Guard Reserve status. The AGR program is an element of the full-time support program.

Involuntary Separation

Separation from commissioned, warrant officer or enlisted status as a Reserve of the Army for cause (i.e. substandard performance of duty, moral or professional dereliction or for security reasons) or for other than cause (i.e. force structure changes, or for changes in or elimination of the FTS position).

Medical Benefits

NGR 40-3 provides policies and procedures regarding medical benefits for soldiers serving on FTNGD.

Order of Merit List (OML)

A ranking of AGR soldiers best qualified for selection in descending order from best qualified to least qualified. The OML is used to select the next best-qualified soldier when the best-qualified soldier, as determined by the selection board, becomes disqualified for initial entry on FTNGD.

Excess

Assigned strength which exceeds that authorized by the MTOE or TDA. Assignment of a soldier as excess may occur as a result of unit reorganization, inactivation or relocation. It may also result from assignment error or as an authorized exception to policy to correct an injustice.

Preponderance of Evidence

Evidence which, after consideration of the evidence presented, points to a certain conclusion as being more credible and probable than any other conclusion. Where the evidence is equally consistent with two or more opposing propositions, it is insufficient.

Promotion Eligibility Date (PED)

The earliest date on which an officer who is recommended and selected may be promoted to the next higher grade.

Selection Board

A board of any combination of officers and noncommissioned officers appointed and convened by the Adjutant General for the purpose of fairly and thoroughly examining applicants' credentials to determine the "best qualified" applicant for an authorized AGR vacancy.

Stabilized Tour

A tour for which a mandatory period of duty in a certain geographical area has been established.

Support Personnel Manning Document (SPMD)

Produced by the Defense Civilian Personnel Data System (DCPDS) to document full-time support positions.

Uniform Code of Military Justice (UCMJ)

The UCMJ (10 USC 801) governs the conduct of all soldiers performing duty pursuant to Title 10, USC. Personnel of ARNGUS serving on FTNGD are not subject to the UCMJ, but may be subject to any code of Military Justice established by their state under provisions of title 32, United States Code. Note: No FTNGD soldier will deploy OCONUS unless orders are issued placing the soldier on duty pursuant to 10 USC 12301, 12302 or 12304. While in such status, the soldier is subject to the UCMJ.

Acronyms

AFCOS	Automated Fund Control and Orders System
AFS	Active Federal Service
AGR	Active Guard Reserve
APFT	Army Physical Fitness Test
AR	Army Regulation
ARNGUS	Army National Guard of the United States
AT	Annual Training
ATRRS	Army Training Resource & Requirements System
BASD	Basic Active Service Date
CHAMPUS	Civilian Health & Medical Program of the Uniformed Services
CNGB	Chief, National Guard Bureau
DARNG	Director, Army National Guard
DCPDS	Defense Civilian Personnel Data System
DEERS	Defense Enrollment Eligibility Reporting System
DodPM	Department of Defense Pay Manual
EO	Equal Opportunity
EPS	Enlisted Promotion System
FTNGD	Full Time National Guard Duty
FTS	Full Time Support
CGSC	Command and General Staff College
HRO	Human Resources Office
IDT	Inactive Duty Training
IET	Initial Entry Training
JAG	Judge Advocate General
LOD	Line of Duty
MEPS	Military Entrance Processing Station
MMRB	Military Medical Review Board
MPMO	Military Personnel Management Officer
MOI	Memorandum of Instruction
MOS	Military Occupational Specialty
MRD	Mandatory Removal Date
NCOER	Non-Commissioned Officer Evaluation Report
NGB	National Guard Bureau
OER	Officer Evaluation Report
OSAC	Operational Support Airlift Command
PCS	Permanent Change of Station
PT	Physical Training
PMAR	Program Management Analysis and Review
POTO	Plans, Operations and Training Officer
QRB	Qualitative Retention Board
RCP	Retention Control Point
REFRAD	Release from Active Duty
RFO	Request for Orders
RPAS	Retirement Point Account Statement
RRF	Recruiting Retention Force
SRB	Selective Retention Board
SPMD	Support Personnel Manning Document
STCB	Special Tour Continuation Board
STPA	Select, Train, Promote and Assign
SOP	Standard Operating Procedure
TAAI	Technician & AGR Administrative Instructions
TDY	Temporary Duty
UCMJ	Uniform Code of Military Justice